

# Journal of the House

NINETY-FIRST GENERAL ASSEMBLY  
of the  
STATE OF MISSOURI  
SECOND REGULAR SESSION

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FIRST DAY, WEDNESDAY, JANUARY 9, 2002

The House was called to order at twelve o'clock noon by Speaker Kreider.

Prayer by Reverend Rudy Beard.

Lord of All; as this House, its members and staff, begin a new session, we seek Your blessings in this moment of silence. Be gracious to our land and to these men and women chosen by the people of Missouri to do justice, to show compassion and to act honorably.

Help them lay aside the powerful drives of self-promotion and self-gain, in order to work for the promotion and gain of all. Put Your arms around them and give them strength and wisdom greater than their own so they may serve all Your people. And Gracious God, send to them in their times of trial and compromise, when they have done their best, a hearty laugh, and empathetic smile and a readiness to take on the next issue.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Coleman
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Ford	Fraser	Froelker	Gambaro	Gaskill

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George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Levin
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 003

Lograsso	O'Connor	Reynolds
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ABSENT WITH LEAVE: 006

Clayton	Franklin	Harlan	Hollingsworth	Holt
Troupe				

VACANCIES: 001

### **COMMUNICATION FROM THE SECRETARY OF STATE**

To the Honorable House of Representatives of the 91st General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri 2000, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 91<sup>st</sup> General Assembly (Second Regular Session) of the State of Missouri, elected at the General Election held on the 7th day of November, and at Special Elections held during 2000 and 2001.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 8th day of January, 2002.

/s/ Matt Blunt  
SECRETARY OF STATE

MISSOURI HOUSE OF REPRESENTATIVES  
91<sup>st</sup> General Assembly, Second Regular Session

District	Name
1st	Sam Berkowitz
2nd	Robert J. Behnen
3rd	Jim Whorton *
4th	Rex Barnett
5th	Dan Hegeman
6th	Randall H. Relford
7th	John Quinn **
8th	Chris Shoemaker ***
9th	Wes Shoemyer
10th	Robert Clayton
11th	Phil Smith
12th	Bill Luetkenhaus
13th	Jon Dolan
14th	Cindy Ostmann
15th	Thomas S. Green
16th	Carl Bearden
17th	Bruce W. Holt
18th	Tom Dempsey
19th	Charles F. Nordwald
20th	Danielle Moore
21st	Ted Farnen
22nd	Nancy Copenhaver
23rd	Timothy Harlan
24th	Chuck Graham
25th	Vicky Riback Wilson
26th	Jim Seigfreid
27th	Glenda Kelly
28th	Charlie Shields
29th	Maurice Lawson
30th	Meg Harding
31st	Bill Skaggs
32nd	Susan Phillips
33rd	Philip Willoughby
34th	Annie Reinhart
35th	Luann Ridgeway
36th	Gary Kelly
37th	Sharon S. Brooks
38th	Tim Van Zandt
39th	Marsha Campbell
40th	Henry C. Rizzo
41st	Melba Curls
42nd	Yvonne S. Wilson
43rd	Craig Bland ****
44th	Jenee Lowe
45th	Cathy Jolly
46th	Thomas J. Hoppe
47th	Pat Kelley
48th	Bill Boucher

49th	Ralph A. Monaco
50th	Carol Jean Mays
51st	Dennis Bonner
52nd	Connie Cierpiot
53rd	Richard (Dick) Franklin
54th	Don Lograsso
55th	Carson Ross
56th	Matt Bartle
57th	O. L. Shelton
58th	Louis H. Ford
59th	Russ Carnahan
60th	Amber (Holly) Boykins
61st	Connie Johnson
62nd	Charles Quincy Troupe
63rd	Maida Coleman
64th	Robert (Bob) Hilgemann
65th	Derio Gambaro
66th	vacant
67th	Mike Daus *****
68th	James P. O'Toole
69th	Juanita Head Walton
70th	John L. Bowman
71st	Esther Haywood
72nd	Betty L. Thompson
73rd	Timothy P. Green
74th	Thomas (Tom) George
75th	Mary M. Hagan-Harrell
76th	Lana Ladd Baker
77th	David L. Reynolds
78th	Michael J. Reid
79th	Patrick J. O'Connor
80th	John J. Hickey
81st	James Michael Foley
82nd	David L. Levin
83rd	Barbara Wall Fraser
84th	Joan Bray
85th	Christopher A. (Chris) Liese
86th	Jane Cunningham
87th	Catherine L. Hanaway
88th	Neal C. St. Onge
89th	William (Bill) Linton
90th	Rick Johnson
91st	Kathlyn Fares
92nd	Charles R. Portwood
93rd	Patricia (Pat) Secrest
94th	Richard G. Byrd
95th	Jim Murphy
96th	Joseph L. Treadway
97th	Carl H. Hendrickson
98th	May Scheve
99th	Catherine S. Enz
100th	Joan Barry
101st	Kate Hollingsworth
102nd	Ryan McKenna

103rd	Mark C. Abel
104th	Wes Wagner
105th	Harold R. Selby
106th	Tom Burcham
107th	Dan Ward
108th	Thomas A. Villa
109th	John E. Griesheimer
110th	Francis Overschmidt
111th	Jim Froelker
112th	Merrill Townley
113th	W. W. (Bill) Gratz
114th	Carl M. Vogel
115th	Blaine Luetkemeyer
116th	Steve Henderson
117th	Larry Crawford
118th	Matt Boatright
119th	Delbert L. Scott
120th	Shannon Cooper
121st	Deleta Williams
122nd	D. J. Davis
123rd	Ed Hartzler
124th	Rex Rector
125th	Jerry R. King
126th	Martin (Bubs) Hohulin
127th	Steve Hunter
128th	Gary Burton
129th	Chuck Surface
130th	Gary Marble
131st	Sam Gaskill
132nd	Linda Bartelsmeyer
133rd	Ronnie Miller
134th	Norma Champion
135th	Roy W. Holand
136th	B.J. Marsh
137th	Mark Wright
138th	Craig Hosmer
139th	Brad Roark
140th	Charlie Ballard
141st	Judy Berkstresser
142nd	Jim Kreider
143rd	Estel Boyd Robirds
144th	Van Kelly
145th	Ken Legan
146th	Beth Long
147th	Mark Hampton
148th	Bill L. Ransdall
149th	Bob May
150th	Frank Barnitz
151st	Chuck Purgason
152nd	Wayne Crump
153rd	Don Koller
154th	Mark L. Richardson
155th	Patrick Naeger
156th	Rod Jetton

157th	David Schwab
158th	Jason G. Crowell
159th	Robert Mayer
160th	Peter Myers Sr.
161st	Lanie Black
162nd	Denny J. Merideth, III
163rd	Phillip Britt

\* Elected August 7, 2001 to fill vacancy created by resignation of David Klindt

\*\* Elected August 7, 2001 to fill vacancy created by resignation of Jewel Patek

\*\*\* Elected November 6, 2001 to fill vacancy created by death of Gary Wiggins

\*\*\*\* Elected February 2, 2001 to fill vacancy created by resignation of Terry Riley

\*\*\*\*\* Elected August 7, 2001 to fill vacancy created by resignation of Patrick Dougherty

## RESOLUTIONS

Representative Crump offered **House Resolution No. 1.**

### HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 1** was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Byrd	Campbell	Carnahan	Champion
Coleman	Copenhaver	Crawford	Crowell	Crump
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Ford
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hilgemann	Holand
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo

Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 011

Behnen	Burcham	Cierpiot	Cooper	Cunningham
Hanaway	Henderson	Jetton	Lograsso	Ridgeway
Wright				

PRESENT: 001

Hohulin

ABSENT WITH LEAVE: 009

Burton	Clayton	Franklin	Hickey	Hollingsworth
Levin	Myers	Troupe	Williams	

VACANCIES: 001

## Representative Crump offered **House Resolution No. 2.**

### HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-first General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 2** was adopted by the following vote:

AYES: 135

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Berkowitz
Berkstresser	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Byrd
Campbell	Carnahan	Champion	Coleman	Copenhaver
Crawford	Crowell	Crump	Curts	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Ford	Fraser	Froelker	Gambara
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Hendrickson	Hilgemann
Holand	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore

Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 013

Behnen	Boatright	Burcham	Cierpiot	Cooper
Cunningham	Gaskill	Hanaway	Henderson	Hohulin
Purgason	Ridgeway	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Black	Burton	Clayton	Dolan	Franklin
Hickey	Hollingsworth	Hunter	Jetton	Levin
Linton	Lograsso	O'Toole	Troupe	

VACANCIES: 001

Representative Reid, et al, offered **House Resolution No. 3** and **House Resolution No. 4**.

Speaker Pro Tem Abel assumed the Chair.

## HOUSE CONCURRENT RESOLUTIONS

Representative Crump offered **House Concurrent Resolution No. 1**.

### HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-first General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Tuesday, January 15, 2002, to receive a message from His Honor Stephen Limbaugh, the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-first General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of this resolution.

On motion of Representative Crump, Rule 63 was suspended and **House Concurrent Resolution No. 1** was adopted by the following vote:



AYES: 136

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Byrd	Campbell	Carnahan	Champion
Coleman	Copenhaver	Crowell	Crump	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hilgemann	Holand	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Naeger	Nordwald	Ostmann	Overschmidt	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 014

Behnen	Burcham	Cierpiot	Cooper	Cunningham
Hanaway	Henderson	Hohulin	Hunter	Jetton
Lograsso	Purgason	Ridgeway	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Burton	Clayton	Crawford	Dolan	Franklin
Hickey	Hollingsworth	Myers	O'Connor	O'Toole
Schwab	Troupe			

VACANCIES: 001

Representative Crump offered **House Concurrent Resolution No. 2.**

#### HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-first General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 23, 2002, to receive a message from His Excellency, the Honorable Bob Holden, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-first General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crump, Rule 63 was suspended and **House Concurrent Resolution No. 2** was adopted by the following vote:

AYES: 131

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Byrd	Campbell	Carnahan	Champion	Coleman
Copenhaver	Crawford	Crowell	Crump	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Ford	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hilgemann	Holand	Holt	Hoppe
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Levin	Liese	Linton	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Myers	Naeger	Nordwald	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 012

Behnen	Burcham	Cierpiot	Cooper	Hanaway
Henderson	Hohulin	Hunter	Purgason	Ridgeway
Shoemaker	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Burton	Clayton	Cunningham	Dolan
Franklin	Hickey	Hollingsworth	Hosmer	Jetton
Lograsso	Long	Luetkenhaus	Miller	Murphy
O'Connor	O'Toole	Troupe	Van Zandt	

VACANCIES: 001

Speaker Kreider resumed the Chair.

### **SPEAKER ADDRESSES THE HOUSE**

Good afternoon everyone.

Ladies and gentlemen, just four months ago, when the nation collectively held its breath as tragedy unfolded, and our loved ones were calling us home to be with them during those difficult times, this body did what no other legislature in the United States did.

It stood firm.

This body put the interests of the people before its own.

This House of Representatives decided to send a message that terrorism would never be rewarded in our democracy.

You rose to the challenge and passed a comprehensive prescription drug package and kept a commitment to our seniors.

I am proud of this institution and I am proud of you.

As your Speaker, your colleague, and your friend, I want to begin today by saying thank you for your service to all Missourians. And I invite all those in the upper galleries to join me in a round of applause as we salute American Democracy and the efforts of those who serve it.

The challenge before us is what some of you have heard me refer to as “The Perfect Storm.”

Today, we begin what for most of us will be our last session in the Missouri House of Representatives. We are losing almost one-half of our experienced public servants.

Now is our moment of truth. As you all know by now we will be asked to cut nearly \$1 billion dollars in state services.

To most Missourians, that may not seem difficult in a budget that is \$19 billion dollars.

Yet, you must consider that nearly \$12 billion of that \$19 billion dollars is federal and state mandates that we cannot touch. That leaves \$7 billion dollars to cut from.

The fact is that everyone likes to say they want to cut the fat. And on the campaign trail it is certainly popular to run against “big government.”

But when we get here and find out that cutting big government means that someone gets less service and that ‘someone’ is a child, or an unemployed worker, or a single mother, or one of our seniors, the enthusiasm for deep cuts fades away.

Then it is not difficult to see why those campaigns to “end big government” rapidly turn into promises to “fight for working families.”

Will we rise to the challenge?

Will we have the guts to make the tough choices?

What will our priorities be?

The number one priority of the Missouri House of Representatives is to fully fund the foundation formula for public education.

Public education is the very foundation of our democracy...

Ladies and gentlemen, public education is the door to equal opportunity in this country.

Horace Mann said: the public school is the greatest discovery ever made.

Public education is how we achieve Dr. Martin Luther King's dream for America.

It is what turns the hopes of our children in to the realities of the future.

It is what allows them to become engineers, teachers, nurses, builders, artists, writers, farmers, and yes, even Representatives.

So that one day, when our children sit in these chairs, it will not be to gain political favor but to return a favor.

And to invest in the future of their children.

The state constitution states that maintaining a public education system is our most important responsibility.

We must fully fund the foundation formula for public education.

To fully fund public education, this body will lead by example.

As of today, the Missouri House of Representatives is proud to announce that by cutting travel, eliminating senior-level jobs, and streamlining our operations, we have saved approximately \$2 million from our own budget.

And therefore I urge the Budget Chair and the House Budget Committee to redirect those cost savings towards public education.

Let there be no question that the House of Representatives takes its responsibility to our future very seriously.

And, with this first step, we challenge the Missouri Senate and each department and agency to do their part.

Follow our example. Make tough choices -- and help keep our commitment to the future of Missouri by fully funding public education.

Now let's get back to work!

## **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the first time and copies ordered printed:

**HCR 3**, introduced by Representative Hampton, to authorize the Governor to approve the proposed annexation of the aforementioned two hundred five acres into the city of Licking, Missouri.

**HCR 4**, introduced by Representative Boucher, to declare April 24th to be a "Day of Remembrance of the Armenian Genocide".

## **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 24**, introduced by Representative Ward, et al, relating to term limits.

**HJR 25**, introduced by Representatives Williams, Ostmann, Riback Wilson (25), Fraser, Lowe, Bray and Haywood, et al, to ratify a proposed amendment to the Constitution of the United States.

**HJR 26**, introduced by Representative Reynolds, relating to the prohibition of public aid for religious purposes and institutions.

**HJR 27**, introduced by Representatives Johnson (90), McKenna, Wagner, Selby, Abel and Hollingsworth, relating to the state board of education.

**HJR 28**, introduced by Representative Villa, relating to the qualifications of representatives and senators.

**HJR 29**, introduced by Representatives Seigfreid, Berkowitz and Relford, relating to the powers and duties of the state highways and transportation commission.

**HJR 30**, introduced by Representatives Naeger, Jetton, Moore, Schwab, Secrest, Phillips, Portwood, Dempsey and Bartle, et al, relating to religious freedom.

**HJR 31**, introduced by Representative Black, et al, relating to the powers and duties of the state transportation commission.

**HJR 32**, introduced by Representatives Barry, Willoughby, Fraser and Bonner, et al, relating to school district bond elections.

**HJR 33**, introduced by Representative Farnen, relating to term limits.

**HJR 34**, introduced by Representative Farnen, relating to gubernatorial appointments.

**HJR 35**, introduced by Representative Farnen, relating to regular appearances of the governor before the house of representatives.

**HJR 36**, introduced by Representative Bartle, relating to the limitation on indebtedness by school districts.

**HJR 37**, introduced by Representative Reid, et al, relating to highways and transportation.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1028**, introduced by Representative Bartle, relating to the cloning of human beings.

**HB 1029**, introduced by Representatives Phillips, Reinhart, Moore and Walton, et al, relating to the crime of tampering with pharmaceuticals.

**HB 1030**, introduced by Representative Farnen, relating to applications for absentee ballots.

**HB 1031**, introduced by Representative Portwood, relating to gambling moneys for schools.

**HB 1032**, introduced by Representative Portwood, relating to the state board of health.

**HB 1033**, introduced by Representatives Portwood, Barry, Naeger, Hanaway, Secrest, Reinhart and Hegeman, et al, relating to the Missouri calcium initiative.

**HB 1034**, introduced by Representative Portwood, relating to construction of facilities.

**HB 1035**, introduced by Representative Portwood, relating to drivers' licenses.

**HB 1036**, introduced by Representatives Willoughby, Skaggs, Copenhaver, Barnitz, Abel, Boucher, Barry, Crump, Coleman, Boykins and Johnson (90), et al, relating to school district approval for daily observance of one minute of silence.

**HB 1037**, introduced by Representatives Monaco, Hosmer and Jolly, et al, relating to statute of limitations for forcible rape and sodomy.

**HB 1038**, introduced by Representatives Ross, Moore, Secrest, Farnen, Crawford, Behnen, Willoughby and Dolan, et al, relating to tinted windows.

**HB 1039**, introduced by Representative Luetkemeyer, et al, relating to an income tax credit for admission fees to tourist attractions.

**HB 1040**, introduced by Representative Luetkemeyer, et al, relating to a mandatory assembly for veterans day.

**HB 1041**, introduced by Representative Myers, relating to tourism tax trust funds in certain cities.

**HB 1042**, introduced by Representative Bearden, et al, relating to unsolicited electronic messages.

**HB 1043**, introduced by Representatives Bearden, Cunningham and Luetkenhaus, et al, relating to the daily observance of one minute of silence.

**HB 1044**, introduced by Representative Bearden, et al, relating to tax relief.

**HB 1045**, introduced by Representative Selby, relating to liquor sales in motion picture theaters.

**HB 1046**, introduced by Representative Gaskill, relating to defense of the United States flag.

**HB 1047**, introduced by Representative Smith, relating to juvenile courts.

**HB 1048**, introduced by Representatives Ward, Selby and Surface, et al, relating to property assessment and taxation.

**HB 1049**, introduced by Representatives Ward, Barnett, Barnitz and Selby, et al, relating to concealable weapons.

**HB 1050**, introduced by Representatives Ward, Boucher and Surface, et al, relating to special license plates.

**HB 1051**, introduced by Representative Ward, relating to the state highway patrol.

**HB 1052**, introduced by Representative Ward, et al, relating to financial assistance for food pantries.

**HB 1053**, introduced by Representatives Ward and Selby, relating to Medicaid and Medicare eligibility.

**HB 1054**, introduced by Representatives Selby and Ward, relating to wrongful termination of volunteer firefighters.

**HB 1055**, introduced by Representative Byrd, relating to the family and medical leave act.

**HB 1056**, introduced by Representative Byrd, relating to registration of juvenile sex offenders.

**HB 1057**, introduced by Representative Byrd, relating to real and personal property assessment.

**HB 1058**, introduced by Representative Haywood, relating to hate crimes.

**HB 1059**, introduced by Representative Haywood, relating to vicious animals.

**HB 1060**, introduced by Representative Griesheimer, relating to taxation of homestead property.

**HB 1061**, introduced by Representatives Bray and Fraser, et al, relating to certain health care benefits.

**HB 1062**, introduced by Representative Bray, relating to qualifications for school board members.

**HB 1063**, introduced by Representative Bray, relating to qualifications for school board members.

**HB 1064**, introduced by Representative Bray, relating to certain civil actions for discrimination.

**HB 1065**, introduced by Representative Bray, relating to Sunday liquor sales by the drink by establishments within an international airport.

**HB 1066**, introduced by Representatives Bray and Kreider, relating to school-sponsored student publications in the public schools.

**HB 1067**, introduced by Representative Bray, relating to certain rights and obligations of employers and employees in causes of action for wrongful discharge.

**HB 1068**, introduced by Representatives Bray and Williams, relating to gender discrimination in public schools.

**HB 1069**, introduced by Representative Bray, et al, relating to employment practices affecting women.

**HB 1070**, introduced by Representative Hosmer, relating to taxation for fire protection.

**HB 1071**, introduced by Representative Hosmer, relating to certain licensed professionals who are in default on student loans.

**HB 1072**, introduced by Representative Hosmer, relating to dissolution of marriage.

**HB 1073**, introduced by Representative Hosmer, relating to local taxation of cigarettes and tobacco products.

**HB 1074**, introduced by Representatives Fraser, Williams, Bray, Boucher, Ostmann, Riback Wilson (25) and Harding, relating to time limitations for prosecution of certain offenses.

**HB 1075**, introduced by Representative Nordwald, relating to the titling of certain property abandoned on privately owned real estate.

**HB 1076**, introduced by Representatives Jolly, Johnson (90), Britt, Boucher, Moore, Bonner and Hosmer, et al, relating to confinement of persons without process.

**HB 1077**, introduced by Representatives Jolly, Willoughby, Hosmer, Monaco and Bonner, et al, relating to sexual offender registration.

**HB 1078**, introduced by Representatives Whorton, Copenhaver, Hegeman, Relford and Kelly (36), authorizing a sales tax for regional jail districts and associated court facilities.



**HB 1079**, introduced by Representatives Portwood, Selby and Naeger, et al, relating to the Missouri senior Rx program.

**HB 1080**, introduced by Representatives Bearden and Moore, et al, relating to recall elections for school board members.

**HB 1081**, introduced by Representatives Bearden, Cunningham and Portwood, et al, relating to a deduction from Missouri adjusted gross income for qualified education expenses.

**HB 1082**, introduced by Representative Fraser, et al, relating to the use of epinephrine by emergency medical technicians.

**HB 1083**, introduced by Representatives Fraser, Boucher and Riback Wilson (25), relating to corporal punishment.

**HB 1084**, introduced by Representative Fraser, et al, relating to school-term calendars.

**HB 1085**, introduced by Representative Mays (50), relating to drainage districts.

**HB 1086**, introduced by Representative Harlan, relating to the privacy of personal information of participants in the Missouri higher education savings program.

**HB 1087**, introduced by Representatives Linton and Hanaway, relating to the assessment and levy of property taxes.

**HB 1088**, introduced by Representatives Hanaway and Hollingsworth, relating to bestiality.

**HB 1089**, introduced by Representative Reynolds, relating to the state fair commission.

**HB 1090**, introduced by Representative Reynolds, relating to the licensing of tanning bed operators.

**HB 1091**, introduced by Representative Reynolds, relating to overtime compensation of employees.

**HB 1092**, introduced by Representative Reynolds, relating to public officers and employees.

**HB 1093**, introduced by Representatives Relford and Seigfreid, relating to special license plates.

**HB 1094**, introduced by Representatives Relford and Seigfreid, relating to special license plates.

**HB 1095**, introduced by Representatives Relford and Barnett, relating to passing stationary vehicles.

**HB 1096**, introduced by Representatives Relford and Seigfreid, relating to school districts.

**HB 1097**, introduced by Representative Relford, relating to food inspection.

**HB 1098**, introduced by Representatives Relford and Seigfreid, relating to closed governmental meetings.

**HB 1099**, introduced by Representative Relford, relating to motor vehicle registration.

**HB 1100**, introduced by Representatives Relford, Crump and Seigfreid, relating to feral hogs.

**HB 1126**, introduced by Representatives Wilson (42), Sanders Brooks, Bland and Bowman, relating to school-term calendars.

**HB 1127**, introduced by Representative Smith, relating to lobbyists.

**HB 1128**, introduced by Representative Henderson, et al, relating to regional child assessment centers.

**HB 1129**, introduced by Representatives Bonner, Monaco and Rizzo, relating to sports and community facilities improvement.

**HB 1130**, introduced by Representatives Hosmer and Williams, relating to student volunteer opportunities.

**HB 1131**, introduced by Representatives Hosmer and Williams, relating to higher education.

**HB 1132**, introduced by Representative Walton, relating to the impeachment of municipal elected officials.

**HB 1133**, introduced by Representative Walton, et al, relating to EDTA chelation therapy.

**HB 1134**, introduced by Representatives Relford, Seigfreid and Whorton, relating to forestry.

**HB 1135**, introduced by Representative Bonner, relating to school districts.

**HB 1136**, introduced by Representative Villa, relating to the state highways and road system.

**HB 1137**, introduced by Representative Byrd, relating to damage values for insurance policies.

**HB 1138**, introduced by Representative Byrd, relating to the acquisition of public utilities.

**HB 1139**, introduced by Representative Byrd, relating to sovereign immunity waiver.

**HB 1140**, introduced by Representatives Crawford, Reinhart and Kelly (36), relating to selling a child.

**HB 1141**, introduced by Representative Naeger, relating to a memorial highway.

**HB 1142**, introduced by Representative Hosmer, relating to protective orders for municipal utilities.

**HB 1143**, introduced by Representative Rizzo, relating to tax credits for distressed communities.

**HB 1144**, introduced by Representative Willoughby, relating to industrial development corporations.

**HB 1145**, introduced by Representative Green (15), relating to the establishment of the American military veterans bridge.

**HB 1146**, introduced by Representative Coleman, relating to an income tax credit for certain parents.

**HB 1147**, introduced by Representative Hartzler, relating to sales tax in fire protection districts.

**HB 1148**, introduced by Representative Ross, relating to scattering gardens in certain cemeteries.

**HB 1149**, introduced by Representatives Hegeman and Lawson, relating to the environmental hearing commission.

**HB 1150**, introduced by Representative Bray, relating to assessment and collection procedures of the department of revenue.

**HB 1151**, introduced by Representative Smith, relating to disclaimers of property.

**HB 1152**, introduced by Representative Hoppe, relating to the appeal bonds for signatories to the tobacco settlement agreement.

**HB 1153**, introduced by Representative Ostmann, relating to statute of limitations for certain sexual offenses.

**HB 1154**, introduced by Representative Smith, relating to the purpose of chapter 211, RSMo.

**HB 1155**, introduced by Representative Shields, relating to emergency vehicles.

**HB 1156**, introduced by Representatives Berkowitz, Copenhaver, Barry, Wilson (42), Luetkemeyer, Richardson, Ladd Baker, Ostmann, Whorton, Merideth, Campbell, Bartelsmeyer and Bowman, relating to Medicaid reimbursement rates for long-term care facilities.

**HB 1157**, introduced by Representatives Relford and Legan, relating to the home-delivered meal program.

**HB 1158**, introduced by Representative Relford, relating to wages for certain peace officers.

**HB 1159**, introduced by Representative Boykins, relating to special license plates.

**HB 1160**, introduced by Representative Reinhart, et al, relating to compulsory age for school attendance.

**HB 1161**, introduced by Representatives Reinhart and Hoppe, et al, relating to enticement of a child.

**HB 1162**, introduced by Representatives Hosmer, Harding and Kelly (36), relating to alcohol use by children and youth.

**HB 1163**, introduced by Representatives Hosmer and Hoppe, relating to reinstatement of drivers' licenses.

**HB 1164**, introduced by Representative Hosmer, relating to cigarette taxes.

**HB 1165**, introduced by Representatives Crowell and Burcham, relating to venue for certain criminal offenses.

**HB 1166**, introduced by Representative Crowell, relating to operation of motor vehicles.

**HB 1167**, introduced by Representative Crowell, relating to presiding judges.

**HB 1168**, introduced by Representative Crowell, relating to modification of child custody.

**HB 1169**, introduced by Representatives Crowell, Moore and Hendrickson, et al, relating to gubernatorial inaugural committees.

**HB 1170**, introduced by Representatives Crowell and Hendrickson, et al, relating to establishing a trust fund to provide access to treatment for certain uninsured medical treatments.

**HB 1171**, introduced by Representative Hickey, relating to state building contracts.

**HB 1172**, introduced by Representative Hickey, relating to sales tax.

**HB 1173**, introduced by Representative Hickey, relating to discriminatory wage practices.

**HB 1174**, introduced by Representative Hickey, relating to sales taxation.

**HB 1175**, introduced by Representative Hickey, relating to the acquisition of property for airports.

**HB 1176**, introduced by Representative Hickey, relating to airport noise studies.

**HB 1177**, introduced by Representative Gaskill, relating to tobacco taxation.

**HB 1178**, introduced by Representative Gaskill, relating to an income tax credit for personal property tax.

**HB 1179**, introduced by Representative Gaskill, relating to adoption of the common law.

**HB 1180**, introduced by Representative Gaskill, relating to tax relief.

**HB 1181**, introduced by Representative Gaskill, relating to the state lottery.

**HB 1182**, introduced by Representative Gaskill, relating to the use of state aircraft by the governor.

**HB 1183**, introduced by Representative Gaskill, relating to anti-terrorism.

**HB 1184**, introduced by Representative Smith, relating to termination of parental rights.

**HB 1185**, introduced by Representative Ostmann, relating to sewerage services.

**HB 1186**, introduced by Representatives Hosmer, Farnen, Williams, Riback Wilson (25), Harlan, Haywood, Champion and Britt, relating to certain institutions of higher education.

**HB 1187**, introduced by Representatives Hosmer, Jolly, Roark and Britt, et al, relating to the sexual offender registry.

**HB 1188**, introduced by Representatives Hosmer, Kreider and Britt, relating to the statute of limitations for forcible rape and forcible sodomy.

**HB 1189**, introduced by Representatives Myers, Moore, Coleman, Jetton and Mayer, et al, relating to blended fuels.

**HB 1190**, introduced by Representatives Myers, Whorton, Jetton, Mayer and Coleman, et al, relating to Korean War veterans' awards.

**HB 1191**, introduced by Representatives Davis and Holand, relating to orientation and training of school board members.

**HB 1192**, introduced by Representative Harding, et al, relating to industrial development corporations.

**HB 1193**, introduced by Representative Byrd, relating to appointment of certain circuit clerks.

**HB 1194**, introduced by Representative Gambaro, relating to liens on real property by political subdivisions for abatement of dangerous buildings.

**HB 1195**, introduced by Representative Selby, et al, relating to adoption records.

**HB 1196**, introduced by Representatives Barnett, Ostmann, Moore, Kelly (27), Crawford, Shields, Koller, Cooper, Luetkenhaus, Ross, Luetkemeyer and May (149), et al, relating to the state highways and transportation department fund.

**HB 1197**, introduced by Representatives Wagner and McKenna, relating to city annexation of existing fire protection districts.

**HB 1198**, introduced by Representative Graham, for the purpose of enacting the dedication to donation act.

**HB 1199**, introduced by Representative Bowman, et al, relating to foreign language instruction in elementary schools.

**HB 1200**, introduced by Representative Bowman, et al, relating to finance instruction in secondary schools.

**HB 1202**, introduced by Representative Smith, relating to refunds of incorrectly collected sales tax to original purchasers.

**HB 1203**, introduced by Representatives Seigfreid, Berkowitz and Relford, relating to state highways and transportation commission.

**HB 1204**, introduced by Representatives Seigfreid and Relford, relating to special license plates.

**HB 1205**, introduced by Representatives Seigfreid and Relford, relating to a civil air patrol license plate.

**HB 1206**, introduced by Representative Boucher, et al, relating to income taxation.

**HB 1207**, introduced by Representatives Merideth, Moore, Ostmann, Berkstresser, Bartelsmeyer, Liese and Gaskill, et al, relating to the Missouri airport protection act.

**HB 1208**, introduced by Representative Barry, relating to registered nurse first assistants.

**HB 1209**, introduced by Representative Villa, relating to vacation, holidays, and off-duty time for members of the police force.

**HB 1210**, introduced by Representative Boucher, et al, relating to income taxation.

**HB 1211**, introduced by Representatives Smith, Ostmann, Reinhart, Williams and Robirds, relating to invasion of privacy.

**HB 1212**, introduced by Representative Bartle, relating to daily performance of the Pledge of Allegiance or national anthem in public schools.

**HB 1213**, introduced by Representatives McKenna, Selby, Hollingsworth, Johnson (90), Wagner and Abel, relating to abatement and removal of a nuisance.

**HB 1214**, introduced by Representatives Davis and Cooper, relating to special motorcycle license plates for veterans.

**HB 1215**, introduced by Representatives Treadway, Kreider and Foley, relating to insurance coverage for bone marrow testing.

**HB 1216**, introduced by Representatives Johnson (61) and Ostmann, relating to a suicide prevention plan.

**HB 1217**, introduced by Representatives Johnson (61) and Ross, relating to prostate cancer awareness.

**HB 1218**, introduced by Representative Shields, relating to opportunity scholarships for students in unaccredited or academically deficient schools.

**HB 1219**, introduced by Representative Shields, relating to health insurance for the working poor.

**HB 1220**, introduced by Representative Shields, relating to sales and use taxes.

**HB 1221**, introduced by Representative Shields, relating to school district funding.

**HB 1222**, introduced by Representative Shields, relating to donations of teachers to schools.

**HB 1223**, introduced by Representative Shields, relating to public retirement systems.

**HB 1224**, introduced by Representative Shields, relating to the creation of waiver school districts.

**HB 1225**, introduced by Representatives Jolly, Hosmer, Willoughby, Monaco, Harding, Lawson, Moore, Ostmann, Barry, Myers, Johnson (90), Boucher, Dolan, Reid and Portwood, et al, relating to dangerous felonies.

**HB 1226**, introduced by Representatives Monaco, Kreider and Jolly, et al, relating to the provision of certain medical kits.

**HB 1227**, introduced by Representatives Willoughby, Jolly, Reid, Harding, Crowell, Luetkenhaus and Johnson (90), et al, relating to enticement of a child.

**HB 1228**, introduced by Representatives Johnson (90), Selby, Carnahan, Harding, Coleman, Willoughby, Ladd Baker, Harlan and Byrd, relating to the amendment of definitions regarding the telemarketing no-call list to further protect consumers.

**HB 1229**, introduced by Representatives Johnson (90), Jolly, Shoemyer and Willoughby, relating to offenses against the person.

**HB 1230**, introduced by Representatives Portwood, Shoemaker, Roark, Luetkenhaus, Rector, Jetton, Crowell, Bearden and Dolan, et al, relating to property taxation.

**HB 1231**, introduced by Representatives Harding, Graham and Boucher, et al, relating to the rights of persons with service animals.

**HB 1232**, introduced by Representatives Harding, Jolly, Hosmer, Kelly (36) and Copenhaver, et al, relating to liquor control.

**HB 1233**, introduced by Representative Harding, et al, relating to Missouri Day.

**HB 1234**, introduced by Representative Harding, et al, relating to registration of exotic animals.

**HB 1235**, introduced by Representatives Hosmer and Kreider, relating to real property classification and assessment.

**HB 1236**, introduced by Representative Hegeman, relating to prosecutor's pay.

**HB 1237**, introduced by Representatives Hegeman and Secrest, et al, relating to assessment and collection procedures of the department of revenue.

**HB 1238**, introduced by Representative Hegeman, relating to neighborhood improvement district maintenance levies.

**HB 1239**, introduced by Representative Hegeman, relating to the employment of food services directors in facilities licensed by the division of aging.

**HB 1240**, introduced by Representative Hegeman, relating to egg dealers and retailers licenses.

**HB 1241**, introduced by Representatives Hegeman, Barnett and Robirds, relating to food inspection.

**HB 1242**, introduced by Representative Griesheimer, relating to special license plates.

**HB 1243**, introduced by Representative Ostmann, relating to grandparent visitation.

**HB 1244**, introduced by Representatives Robirds and Coleman, et al, relating to parental liability for minor children.

**HB 1245**, introduced by Representative Reinhart, relating to theft of vehicles containing children.

**HB 1246**, introduced by Representative Thompson, relating to truancy.

**HB 1247**, introduced by Representative Thompson, relating to health insurance.

**HB 1248**, introduced by Representative Thompson, relating to traffic violation records.



**HB 1249**, introduced by Representative Thompson, relating to personnel records of peace officers.

**HB 1250**, introduced by Representative Thompson, relating to compensation for wrongful imprisonment.

**HB 1251**, introduced by Representative Thompson, relating to elimination of local sales and use tax on food.

**HB 1252**, introduced by Representative Thompson, relating to tax relief for veterans.

**HB 1253**, introduced by Representative Thompson, relating to income tax credits.

**HB 1254**, introduced by Representative Thompson, relating to home loans.

**HB 1255**, introduced by Representative Smith, relating to nursing home administrators.

**HB 1256**, introduced by Representative Smith, relating to child luring.

**HB 1257**, introduced by Representative Smith, relating to technological crimes.

**HB 1258**, introduced by Representative Hosmer, relating to law enforcement records.

**HB 1259**, introduced by Representative Champion, et al, relating to obeying the lawful order of a law enforcement officer.

**HB 1260**, introduced by Representative Champion, et al, relating to dependency exemptions for foster children.

**HB 1261**, introduced by Representative Hohulin, relating to brush adjacent to county roads.

**HB 1262**, introduced by Representatives Champion, Jetton, Shields, Gratz, Luetkenhaus, Moore and Troupe, et al, relating to performance-based budgeting for state departments.

**HB 1263**, introduced by Representative Gratz, relating to abandonment of a child.

**HB 1264**, introduced by Representative Gratz, relating to daily observance of one minute of silence.

**HB 1265**, introduced by Representatives Gratz and Vogel, relating to registration with the selective service system.

**HB 1266**, introduced by Representatives Davis, Kreider, Portwood, Cunningham and Berkowitz, relating to the calculation of moneys for at-risk students in the formula for state school aid to school districts.

**HB 1267**, introduced by Representative Murphy, relating to apportionment of property between school districts.

**HB 1268**, introduced by Representative Boucher, relating to income taxation.

**HB 1269**, introduced by Representatives Gratz and Kreider, relating to the provision of certain medical kits.

**HB 1270**, introduced by Representative Gratz, relating to motor vehicles.

**HB 1271**, introduced by Representatives Gratz and Kreider, et al, relating to statute of limitations for rape and sodomy.

**HB 1272**, introduced by Representative Smith, relating to special license plates.

**HB 1273**, introduced by Representative Secrest, relating to workers' compensation.

**HB 1274**, introduced by Representative Secrest, relating to workers' compensation.

**HB 1275**, introduced by Representative Secrest, relating to workers' compensation.

**HB 1276**, introduced by Representative Secrest, relating to workers' compensation.

**HB 1277**, introduced by Representative Secrest, relating to workers' compensation.

**HB 1278**, introduced by Representatives Gambaro, Hanaway, Scott, Green (73), Liese, Barry and Villa, et al, relating to a tax credit for scholarship charity contributions.

**HB 1279**, introduced by Representatives Ostmann and Fraser, relating to mandatory counseling for children who are cruel to animals.

**HB 1280**, introduced by Representatives Secrest and Naeger, relating to workers' compensation.

**HB 1281**, introduced by Representative Willoughby, relating to teacher certification.

**HB 1282**, introduced by Representative Gaskill, relating to scientific and technical evidence.

**HB 1283**, introduced by Representative Gaskill, relating to public access to scientific data used in the promulgation of statutes and regulations.

**HB 1284**, introduced by Representative Gaskill, relating to a veterans memorial bridge.

**HB 1285**, introduced by Representative Burton, relating to medical expenses of prisoners.

**HB 1286**, introduced by Representative Hoppe, relating to public water supply districts.

**HB 1287**, introduced by Representatives Davis and Holand, relating to alternative education programs.

**HB 1288**, introduced by Representative Liese, relating to sales tax revenue.

**HB 1289**, introduced by Representative Troupe, relating to uniform prescription drug information cards.

**HB 1290**, introduced by Representative Troupe, relating to offender autopsies.

**HB 1291**, introduced by Representative Troupe, relating to contributions by the state for the detention of juveniles.

**HB 1292**, introduced by Representative Troupe, relating to probation services.

**HB 1293**, introduced by Representative Troupe, relating to contraceptive health insurance coverage.

**HB 1294**, introduced by Representative Troupe, relating to health care services.

**HB 1295**, introduced by Representative Troupe, relating to pharmacies.

**HB 1296**, introduced by Representative Troupe, relating to a Medicaid pharmacy management program.

**HB 1297**, introduced by Representative Troupe, relating to the prohibition on privately operated prisons.

**HB 1298**, introduced by Representative Troupe, relating to criminal assault.

**HB 1299**, introduced by Representative Troupe, relating to probation.

**HB 1300**, introduced by Representative Troupe, relating to the crime of offender sexual abuse.

**HB 1301**, introduced by Representative Troupe, relating to the housing of offenders.

**HB 1302**, introduced by Representative Troupe, relating to dogs.

**HB 1303**, introduced by Representative Troupe, relating to foster care reimbursement.

**HB 1304**, introduced by Representative Troupe, relating to insurance coverage for diabetes.

**HB 1305**, introduced by Representative Troupe, relating to a board of corrections ombudsman and an office of corrections ombudsman.

**HB 1306**, introduced by Representatives Williams, Shelton, Crawford, Levin, Harding, Carnahan and Bray, et al, relating to a multicultural program and committee within the office of the lieutenant governor.

**HB 1307**, introduced by Representatives Williams, Hosmer, Franklin, Boucher, Bowman, Reinhart and Henderson, et al, relating to watercraft regulation.

**HB 1308**, introduced by Representatives Williams, Hosmer, Lowe, Bowman, Boucher, Myers and Reinhart, relating to emergency vehicles.

**HB 1309**, introduced by Representatives Boucher, Hollingsworth, Selby and Hosmer, et al, relating to nursing homes.

**HB 1310**, introduced by Representative O'Connor, relating to the licensing of motor vehicle dealers.

**HB 1311**, introduced by Representatives Relford, Hunter and Cooper, relating to admission fees for gambling boats paid to municipal and county governments.

**HB 1312**, introduced by Representatives Jolly, Hosmer, Willoughby, Lawson, Ostmann, Barry, Myers, Johnson (90), Boucher, Dolan and Reid, et al, relating to criminal penalties for sexual misconduct.

**HB 1313**, introduced by Representative Burton, relating to physical therapist assistants.

**HB 1314**, introduced by Representatives Mays (50) and Burton, relating to license plates.

**HB 1315**, introduced by Representatives Graham, Farnen, Bowman, Harding, Hosmer, Willoughby and Williams, et al, relating to disability discrimination .

**HB 1316**, introduced by Representatives Hanaway and Hosmer, relating to the statute of limitations on certain tort actions.

**HB 1317**, introduced by Representatives Hanaway and Hosmer, relating to claims against certain licensed professionals.

**HB 1318**, introduced by Representatives George and Abel, et al, relating to noncertificated school employees.

**HB 1319**, introduced by Representatives Burton and Mays (50), relating to the electric generating activities.

**HB 1320**, introduced by Representatives Reid, Boucher, Bearden, Secrest, Dolan and Froelker, et al, relating to special license plates.

**HB 1321**, introduced by Representatives Selby, Scott, Henderson, Wagner, Ward and McKenna, relating to eligibility for certain educational grant programs.

**HB 1322**, introduced by Representatives Bartelsmeyer, Secrest, Gaskill, Williams and Cunningham, et al, relating to state aid for education of students with limited English proficiency.

**HB 1323**, introduced by Representative Griesheimer, relating to motor vehicles.

**HB 1324**, introduced by Representatives Boucher, Monaco and Relford, relating to the release of probation documents.

**HB 1325**, introduced by Representative Reynolds, relating to property taxation.

**HB 1326**, introduced by Representative Seigfreid, relating to ethics.

**HB 1327**, introduced by Representative Portwood, relating to assessment and collection procedures of the department of revenue.

**HB 1328**, introduced by Representative Robirds, et al, relating to the Missouri ethics commission.

**HB 1329**, introduced by Representatives Jolly, Harding, Kelly (27), Reid, Moore and Ostmann, et al, relating to sexual conduct involving child victims.

**HB 1330**, introduced by Representative Selby, relating to the regulation and certification of explosive blasters.

**HB 1331**, introduced by Representative Harding, et al, relating to leaving a child unattended in a motor vehicle.

**HB 1332**, introduced by Representative Troupe, relating to public availability of absentee ballot lists.

**HB 1333**, introduced by Representative Troupe, relating to state and local sales and use tax.

**HB 1334**, introduced by Representative Troupe, relating to holistic medicine.

**HB 1335**, introduced by Representative Troupe, relating to school audits in certain metropolitan school districts.

**HB 1336**, introduced by Representative Troupe, relating to salary schedules for public school teachers.

**HB 1337**, introduced by Representative Troupe, relating to the regulation of check-cashing businesses.

**HB 1338**, introduced by Representatives Relford, Franklin, Davis, Hartzler, Seigfreid, Ransdall and Shields, et al, relating to teachers' licenses.

**HB 1339**, introduced by Representative Ballard, relating to insecticide or herbicide application in or around governmental buildings.

**HB 1340**, introduced by Representative Ballard, relating to the giving of incentives to students or their parents for certain purposes.

**HB 1341**, introduced by Representative Marble, et al, relating to environmental audit privileges.

**HB 1342**, introduced by Representative Farnen, relating to political party committeemen and committeewomen.

**HB 1343**, introduced by Representative Villa, relating to special license plates.

**HB 1344**, introduced by Representative Crump, relating to transporting concealable firearms in motor vehicles.

**HB 1345**, introduced by Representative Naeger, et al, relating to the mandatory transportation of, and a tax credit for the transportation costs of, nonpublic school students.

**HB 1346**, introduced by Representatives Naeger, Moore and Portwood, et al, relating to health care for uninsured children.

**HB 1347**, introduced by Representatives Naeger and Nordwald, relating to on-site sewage treatment systems.

**HB 1348**, introduced by Representatives Myers, Jetton, Mayer, Richardson, Merideth, Black, Schwab and Britt, relating to boll weevil eradication.

**HB 1349**, introduced by Representatives Seigfreid, Relford and Davis, relating to overtime pay for state employees.

**HB 1350**, introduced by Representative Liese, relating to boards of directors in community improvement districts.

**HB 1351**, introduced by Representative Troupe, relating to minority teaching scholarships.

**HB 1352**, introduced by Representative Troupe, relating to qualification and election of school board members in cities not within a county.

**HB 1353**, introduced by Representatives Rector and Hartzler, relating to commercial zones.

**HB 1354**, introduced by Representative Reynolds, relating to the deaf and hard of hearing.

**HB 1355**, introduced by Representatives Seigfreid and Relford, relating to sales tax for highways and bridges.

**HB 1356**, introduced by Representatives Merideth, Boucher, Carnahan and Graham, relating to a family training program for special education.

**HB 1357**, introduced by Representatives Relford and Mays (50), relating to municipal historic preservation revolving funds.

**HB 1358**, introduced by Representative Scheve, relating to property taxation.

**HB 1359**, introduced by Representative Scheve, relating to income taxation.

**HB 1360**, introduced by Representative Scheve, relating to eligibility for public assistance.

**HB 1361**, introduced by Representative Scheve, relating to family restrooms.

**HB 1362**, introduced by Representative Scheve, relating to the elderly.

**HB 1363**, introduced by Representative Scheve, relating to consumer protection of homeowners.

**HB 1364**, introduced by Representative Scheve, relating to gambling boat proceeds.

**HB 1365**, introduced by Representative Scheve, relating to determining the method of calculating increases to available per-pupil funding based on growth in the guaranteed tax base.

**HB 1366**, introduced by Representative Scheve, relating to the foundation formula.

**HB 1367**, introduced by Representative Scheve, relating to recalculating certain at-risk moneys in the foundation formula.

**HB 1368**, introduced by Representative Scheve, relating to the regulation of hay rides.

**HB 1369**, introduced by Representative Scheve, relating to immunizations for children.

**HB 1370**, introduced by Representative Merideth, relating to enterprise zones.

**HB 1371**, introduced by Representatives Shoemyer and Berkstresser, relating to assessment of real property.

**HB 1372**, introduced by Representatives Selby and Kreider, relating to sales tax exemptions for diabetic medical supplies and equipment.

**HB 1373**, introduced by Representative Kelly (27), relating to local emergency planning districts.

**HB 1374**, introduced by Representative Kelly (27), relating to long-term care facilities.

**HB 1375**, introduced by Representative Luetkenhaus, relating to mortgage insurance amounts.

**HB 1376**, introduced by Representative Rizzo, relating to rehabilitation of abandoned property.

**HB 1377**, introduced by Representative Rizzo, relating to economic assistance for the promotion of business development.

**HB 1378**, introduced by Representative Treadway, relating to the practice of chiropractic.

**HB 1379**, introduced by Representatives Boucher, Kelly (27), Lawson, Williams, Jolly, Shields, Hartzler, Reid, Dolan, Hunter and Myers, et al, relating to income taxation.

**HB 1380**, introduced by Representatives Richardson, Willoughby and Carnahan, relating to arbitration.

**HB 1381**, introduced by Representative Luetkenhaus, relating to the interpretation of insurance materials.

**HB 1382**, introduced by Representatives Hanaway, Naeger, Reinhart, Crawford, Bearden, Cunningham, Moore, Marble, Reid, Ross, Portwood, Secrest and Shields, et al, relating to deductibility of individual and corporate federal income taxes.

**HB 1383**, introduced by Representatives Hanaway, Naeger, Reinhart, Crawford, Cunningham, Moore, Myers, Reid, Bearden and Secrest, et al, relating to medical treatment of minors.

**HB 1384**, introduced by Representatives Harlan and Carnahan, et al, relating to the parental child support responsibility program.

**HB 1385**, introduced by Representative Bray, relating to tax relief for assistance and care for the disabled.

**HB 1386**, introduced by Representative O'Connor, relating to tinted windows.

**HB 1387**, introduced by Representatives Boucher, Monaco and Relford, relating to the release of probation documents.

**HB 1388**, introduced by Representative Mays (50), relating to penalties for violation of public service commission orders.

**HB 1389**, introduced by Representative Bray, et al, relating to transportation.

**HB 1390**, introduced by Representative Gaskill, relating to the United States national flag.



**HB 1391**, introduced by Representative Smith, relating to license plates.

**HB 1392**, introduced by Representatives Holand and Davis, relating to school district tax surcharges.

**HB 1393**, introduced by Representatives Whorton, Coleman and Portwood, et al, relating to assessors.

**HB 1394**, introduced by Representatives Riback Wilson (25), Bray, Gambaro, Boucher, Campbell and Hilgemann, et al, relating to the death penalty.

**HB 1395**, introduced by Representative Ransdall, relating to the purchasing of recycled toner cartridges.

**HB 1396**, introduced by Representative Graham, relating to health insurance coverage for children's hearing aids.

**HB 1397**, introduced by Representative Ransdall, relating to special license plates.

**HB 1398**, introduced by Representatives Ward, Selby and Boucher, relating to World War II medals.

**HB 1399**, introduced by Representatives Ransdall, Kreider, Crump, Gratz, Jetton, Boucher, Ross, Dolan and Merideth, et al, relating to World War II medals.

**HB 1400**, introduced by Representatives Merideth, Britt, Myers and Black, relating to a memorial bridge.

**HB 1401**, introduced by Representatives Merideth, Crowell and Myers, relating to state funding for the education of certain disabled students.

**HB 1402**, introduced by Representatives Burton and Mays (50), et al, relating to the rights of a political subdivision to use their telecommunications services or facilities.

**HB 1403**, introduced by Representatives Green (73) and St. Onge, relating to retainage in private building contracts.

**HB 1404**, introduced by Representatives Kelly (27), Bray, Green (73), Bearden, Reinhart, Hampton and Shields, relating to state-owned motor vehicles.

#### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up adopted **SR 864**.

SENATE RESOLUTION NO. 864

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Ninety-first General Assembly is duly convened and is now in session and ready for consideration of business.

**COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Daus has been appointed a member of the Municipal Corporations Committee and the Appropriations-Transportation Committee.

Representative Quinn has been appointed a member of the Appropriations-Education Committee.

Representative St. Onge has been appointed a member of the Workers Compensation and Employment Security Committee.

Representative Berkowitz has been appointed a member of the Joint Committee on Transportation Oversight.

Representative Berkowitz has been appointed Chair of the Agriculture Committee.

Representative Daus is no longer a member of the Urban Affairs Committee.

**LETTER OF RESIGNATION**

December 22, 2001

The Honorable Bob Holden  
Governor of the State of Missouri  
Room 216, State Capitol Building  
Jefferson City, MO 65101

Dear Governor Holden:

Effective at 5 p.m. this date, I hereby resign my seat in the Missouri House of Representatives as the representative of the 66<sup>th</sup> Legislative District.

Thank you for your cooperation.

Sincerely,

/s/ Harry Kennedy

## **WITHDRAWAL OF HOUSE BILL**

December 17, 2001

The Honorable Jim Kreider, Speaker  
Missouri House of Representatives  
Capitol Building, Room 308  
Jefferson City, MO 65101

Dear Speaker Kreider:

I request that **HB 1201** (relating to Nursing Home Administrators) be withdrawn due to Legislative Research error in the language in this bill.

Thank you for your consideration of this request. Please feel free to contact me if you have any questions.

Thank you.

Respectfully yours,

/s/ Philip G. Smith  
State Representative  
District 11

The following members' presence was noted: Clayton and Troupe.

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 10, 2002.

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, January 16, 2002, 3:00 pm. Hearing Room 7.

Testimony from L. Mohler, Department of Agriculture; Dr. T. Payne, University of Missouri.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Monday, January 14, 2002, 12:00 pm. Hearing Room 7.

Organizational meeting. Budget address by Brian Long, elected officials.

### **BUDGET**

Monday, January 14, 2002, 2:00 p.m. Hearing Room 3.

Presentation by Department of Economic Development on Tax Credits.

### **BUDGET**

Tuesday, January 15, 2002, 8:30 am. Hearing Room 3.

Budget overview by the Office of Budget and Planning.

**BUDGET**

Wednesday, January 16, 2002, 8:30 am. Hearing Room 3.  
Presentation by Missouri Consolidated Healthcare.

**INTERIM COMMITTEE ON INSTITUTIONAL AND SENTENCING ALTERNATIVES**

Thursday, January 10, 2002. Hearing Room 6 upon morning adjournment.  
Work Session.

**INTERIM COMMITTEE ON TAX EFFICIENCIES**

Thursday, January 10, 2002, 9:00 am. Hearing Room 6.  
Discuss Interim Committee Report.

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, January 10, 2002. Senate Lounge, upon adjournment.  
Department of Social Services, Pharmacy Program Prior Authorization. **AMENDED.**

**JOINT COMMITTEE ON GAMING AND WAGERING**

Tuesday, January 15, 2002, 9:30 am. Hearing Room 4.  
Committee's report to the General Assembly.  
Election of new chairman. Executive Session to follow.

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Thursday, January 10, 2002. Hearing Room 1 upon adjournment.  
Executive Session may follow.  
To be considered - HB 1038, HB 1386

**HOUSE CALENDAR**

SECOND DAY, THURSDAY, JANUARY 10, 2002

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 3 and HCR 4

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 24 through HJR 37

**HOUSE BILLS FOR SECOND READING**

HB 1028 through HB 1100  
HB 1126 through HB 1200  
HB 1202 through HB 1404

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SECOND DAY, THURSDAY, JANUARY 10, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Heavenly Father, thank You for the gift of life this day!

Help us to use the gift well.

We ask You to keep Your still small voice within us. Do not let us give up on things that matter. Give to these men and women of the House ability to sort out the true from the false. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Andrea Jean Baker.

The Journal of the first day was approved as corrected by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Coleman	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Enz	Fares	Farnen	Foley
Ford	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo

Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Hohulin                      Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 006

Dolan	Franklin	Hollingsworth	Levin	Nordwald
Phillips				

VACANCIES: 001

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 5   -   Representative Moore  
House Resolution No. 6   -   Representative Behnen  
House Resolution No. 7   -   Representative Scott  
House Resolution No. 8   -   Representatives Miller and Bartelsmeyer  
House Resolution No. 9   -   Representative Smith  
House Resolution No. 10   -   Representative Willoughby  
House Resolution No. 11   -   Representative Griesheimer

### **SECOND READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 3** and **HCR 4** were read the second time.

### **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 24** through **HJR 37** were read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1028** through **HB 1100**, **HB 1126** through **HB 1200**, and **HB 1202** through **HB 1404** were read the second time.

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 27** - Education-Elementary and Secondary
- HJR 28** - Judiciary
- HJR 29** - Transportation

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 1030** - Elections
- HB 1033** - Children, Families and Health
- HB 1036** - Judiciary
- HB 1037** - Judiciary
- HB 1038** - Motor Vehicle and Traffic Regulations
- HB 1041** - Tourism, Recreation and Cultural Affairs
- HB 1045** - Local Government and Related Matters
- HB 1047** - Civil and Administrative Law
- HB 1049** - Sportsmanship, Safety and Firearms
- HB 1050** - Motor Vehicle and Traffic Regulations
- HB 1051** - Public Safety, Law Enforcement and Veteran Affairs
- HB 1052** - Children, Families and Health
- HB 1053** - Social Services, Medicaid and the Elderly
- HB 1054** - Labor
- HB 1055** - Judiciary
- HB 1058** - Criminal Law
- HB 1059** - Criminal Law
- HB 1061** - Critical Issues, Consumer Protection and Housing
- HB 1062** - Education-Elementary and Secondary
- HB 1063** - Education-Elementary and Secondary
- HB 1064** - Civil and Administrative Law
- HB 1065** - Local Government and Related Matters
- HB 1066** - Miscellaneous Bills & Resolutions
- HB 1068** - Education-Elementary and Secondary
- HB 1069** - Labor
- HB 1070** - Local Government and Related Matters
- HB 1072** - Civil and Administrative Law
- HB 1074** - Judiciary
- HB 1075** - Motor Vehicle and Traffic Regulations
- HB 1076** - Judiciary
- HB 1077** - Civil and Administrative Law
- HB 1078** - Correctional and State Institutions
- HB 1079** - Judiciary

**HB 1082** - Children, Families and Health  
**HB 1083** - Education-Elementary and Secondary  
**HB 1084** - Education-Elementary and Secondary  
**HB 1085** - Local Government and Related Matters  
**HB 1086** - Education-Higher  
**HB 1089** - Agriculture  
**HB 1090** - Professional Registration and Licensing  
**HB 1091** - Labor  
**HB 1092** - Labor  
**HB 1093** - Motor Vehicle and Traffic Regulations  
**HB 1094** - Motor Vehicle and Traffic Regulations  
**HB 1095** - Motor Vehicle and Traffic Regulations  
**HB 1096** - Education-Elementary and Secondary  
**HB 1097** - Children, Families and Health  
**HB 1098** - Civil and Administrative Law  
**HB 1099** - Motor Vehicle and Traffic Regulations  
**HB 1100** - Conservation, State Parks and Mining  
**HB 1126** - Education-Elementary and Secondary  
**HB 1127** - Civil and Administrative Law  
**HB 1130** - Education-Elementary and Secondary  
**HB 1131** - Education-Higher  
**HB 1132** - Local Government and Related Matters  
**HB 1133** - Children, Families and Health  
**HB 1135** - Education-Elementary and Secondary  
**HB 1136** - Transportation  
**HB 1137** - Insurance  
**HB 1139** - Judiciary  
**HB 1141** - Transportation  
**HB 1142** - Utilities Regulation  
**HB 1144** - Commerce and Economic Development  
**HB 1145** - Transportation  
**HB 1147** - Local Government and Related Matters  
**HB 1148** - Local Government and Related Matters  
**HB 1149** - Environment and Energy  
**HB 1150** - Ways and Means  
**HB 1151** - Civil and Administrative Law  
**HB 1153** - Judiciary  
**HB 1154** - Civil and Administrative Law  
**HB 1155** - Motor Vehicle and Traffic Regulations  
**HB 1156** - Transportation  
**HB 1157** - Social Services, Medicaid and the Elderly  
**HB 1158** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1159** - Motor Vehicle and Traffic Regulations  
**HB 1171** - Labor  
**HB 1172** - Ways and Means



**HB 1173** - Labor  
**HB 1174** - Ways and Means  
**HB 1175** - Municipal Corporations  
**HB 1176** - Municipal Corporations  
**HB 1178** - Ways and Means  
**HB 1179** - Judiciary  
**HB 1180** - Ways and Means  
**HB 1184** - Civil and Administrative Law  
**HB 1185** - Local Government and Related Matters  
**HB 1187** - Civil and Administrative Law  
**HB 1188** - Judiciary  
**HB 1191** - Education-Elementary and Secondary  
**HB 1192** - Children, Families and Health  
**HB 1194** - Municipal Corporations  
**HB 1195** - Civil and Administrative Law  
**HB 1197** - Local Government and Related Matters  
**HB 1199** - Education-Elementary and Secondary  
**HB 1200** - Education-Elementary and Secondary  
**HB 1226** - Children, Families and Health  
**HB 1269** - Children, Families and Health  
**HB 1271** - Judiciary  
**HB 1386** - Motor Vehicle and Traffic Regulations

### **COMMITTEE REPORT**

**Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1386** and **HB 1038**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 5**, introduced by Representative Reynolds, to urge the Governor to establish by executive order an annual "Deaf Awareness Week" to be held in September of each year.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1405**, introduced by Representative Burton, relating to road districts.

**HB 1406**, introduced by Representative Barnett, relating to the board of regents of Northwest Missouri State University.

**HB 1407**, introduced by Representatives Riback Wilson (25), Berkowitz, Boucher, Bray, Farnen, Fraser, Froelker, Harding, Harlan, Hosmer, Kelly (27), Ostmann, Reynolds, Scheve, Skaggs and Walton, et al, relating solely to the creation of an earned income tax credit.

**HB 1408**, introduced by Representatives Purgason, Bearden, Crawford and Bartelsmeyer, et al, relating to concealable weapons.

**HB 1409**, introduced by Representative Campbell, relating to design-build contracts.

**HB 1410**, introduced by Representative Campbell, relating to family workers.

**HB 1411**, introduced by Representative Skaggs, relating to a Hearing Impaired Kids Endowment Fund, Inc., license plate.

**HB 1412**, introduced by Representatives Skaggs and Hosmer, relating to special license plates.

**HB 1413**, introduced by Representative Burcham, to authorize the conveyance of property owned by the state in the County of St. Francois to the St. Francois County Habitat for Humanity.

**HB 1414**, introduced by Representative Treadway, relating to exemptions for licensed professions.

**HB 1415**, introduced by Representative Koller, for the sole purpose of providing sales tax exemptions for admission fees for hunting and fees for sales of feed and equipment used for production of certain domestically raised pheasants, partridges, and quail.

**HB 1416**, introduced by Representative Koller, relating to applications for a driver's license.

**HB 1417**, introduced by Representative Legan, relating to the repossession of motor vehicles on behalf of a financial institution.

**HB 1418**, introduced by Representatives Relford, Ballard, Ransdall, Davis, Barnitz, Seigfreid and May (149), et al, relating to state parks.

**HB 1419**, introduced by Representative Shields, relating to donations to schools.

**HB 1420**, introduced by Representative Shields, relating to non-profit-corporations that provide dental services.

**HB 1421**, introduced by Representatives McKenna, Abel and Wagner, relating to appropriations for community college district maintenance funds.

**HB 1422**, introduced by Representatives Gratz, Crump, Kreider, Green (73), Barry, Merideth, Skaggs, Boucher, Thompson and Whorton, et al, relating to price gouging during emergencies.

**HB 1423**, introduced by Representatives Gratz, Kreider, Champion, Green (73), Thompson, Whorton, Skaggs, Boucher and Barry, et al, relating to the Missouri sunset act.

**HB 1424**, introduced by Representatives Smith and Kreider, relating to tuition increases at public institutions of higher education.

**HB 1425**, introduced by Representative Smith, relating to nonpublic personal health information.

**HB 1426**, introduced by Representative Davis, relating to public retirement systems.

**HB 1427**, introduced by Representatives Hosmer, Marsh, Murphy and Lowe, et al, relating to oversight of public privatization contracts.

**HB 1428**, introduced by Representative Hosmer, relating to small claims court.

**HB 1429**, introduced by Representatives Shoemyer (9), Myers, Berkowitz, Copenhaver, Whorton, Merideth, Kreider, Britt and Mayer, et al, relating to the seed availability and competition act.

**HB 1430**, introduced by Representative Burton, relating to resisting or interfering with detention or stop of a vehicle.

**HB 1431**, introduced by Representative Scheve, relating to the assessment of real property.

**HB 1432**, introduced by Representatives Foley and Hanaway, et al, relating to emergency communications system districts.

**HB 1433**, introduced by Representatives Monaco, Kelly (36), Bonner and Burton, et al, relating to resisting or interfering with detention or stop of a vehicle.

**HB 1434**, introduced by Representatives Monaco, Green (73), Hickey, O'Connor, O'Toole and Bonner, relating to torts and action for damages.

**HB 1435**, introduced by Representatives Crawford, Moore, Behnen, Cooper, Burcham, Hunter, Purgason, Dolan, Gaskill, Marble, Luetkemeyer, Schwab, Robirds, Bartelsmeyer, Kelly (144), Ostmann, Shoemaker (8), Bearden, Henderson, King, Berkstresser, Kelly (36), Phillips, Gratz, Boatright, Holand, Legan, Portwood, Hohulin, Crump, Townley, Rector and Whorton, relating to concealable weapons.

**HB 1436**, introduced by Representative Crawford, relating to probation services.

**HB 1437**, introduced by Representatives Crawford, Moore, Behnen, Cooper, Burcham, Hunter, Portwood, Dolan, Purgason, Gaskill, Marble, Luetkemeyer, Schwab, Robirds, Bartelsmeyer, Kelly (144), Hegeman, Ostmann, Boatright, Reinhart, Surface, Dempsey, Bearden, Henderson, King, Berkstresser, Kelly (36), Holand, Gratz, Phillips, Legan, Ross, Hohulin, Barnitz, Crump, Townley and Rector, relating to the preemption of the regulation of firearms.

**HB 1438**, introduced by Representative O'Connor, relating to business franchises.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Johnson (61) is no longer a member of the Education-Higher Committee.

Representative Hickey is no longer Chair of the Labor Committee, but will remain a member of the Labor Committee.

Representative George is no longer Vice-chair of the Labor Committee, but has been appointed Chair of the Labor Committee.

Representative Johnson (61) has been appointed a member of the Budget Committee.

Representative Sanders Brooks has been appointed a member of the Education-Higher Committee.

Representative Green (73) has been appointed a member of the Joint Committee on Capital Improvements and Leases Oversight.

Representative Wilson (42) has been appointed Chair of the Joint Committee on Capital Improvements and Leases Oversight.

Representative Hilgemann has been appointed Chair of the Ways and Means Committee.

Representative Willoughby has been appointed Vice-chair of the Utilities Regulation Committee.

### **LETTER OF RESIGNATION**

January 9, 2002

The Honorable Jim Kreider  
Speaker of the House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Speaker:

I am resigning my position as state representative for the 58<sup>th</sup> legislative district effective January 10, 2002 at 5 p.m. I have greatly enjoyed serving the citizens of the 58<sup>th</sup> district and the State of Missouri for the past 20 years. I have a deep respect for the Missouri House of Representatives and its members and will miss the many friends I have known. I leave the Missouri General Assembly knowing that the citizens of our State are well represented. It has been an honor to serve in the House of Representatives.

Sincerely,

/s/ Representative Louis H. Ford  
District 58

The following members' presence was noted: Nordwald and Hickey.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, January 14, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, First Day, Wednesday, January 9, 2002, pages 6 and 7, roll call, by showing Representative Myers voting "aye" rather than "absent with leave".

Pages 7 and 8, roll call, by showing Representatives Black, Jetton and Linton voting "aye" rather than "absent with leave".

Pages 8 and 9, roll call, by showing Representatives Crawford, Myers and O'Connor voting "aye" rather than "absent with leave".

Page 10, roll call, by showing Representatives Hosmer, Jetton, Miller, Murphy and O'Connor voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, January 16, 2002, 3:00 pm. Hearing Room 7.

Testimony from L. Mohler, Department of Agriculture; Dr. T. Payne, University of Missouri.

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Monday, January 14, 2002, 12:00 pm. Hearing Room 7.

Organizational meeting. Budget address by Brian Long, elected officials.

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 15, 2002, 12:00 pm. Hearing Room 7.

Elected Officials, Department of Revenue.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 16, 2002, 12:00 pm. Hearing Room 7.  
Department of Revenue, Public Debt - Office of Administration.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 16, 2002, 2:00 pm. Hearing Room 5.  
Departments of Economic Development and Revenue.  
Testimony regarding non-resident athlete & entertainer tax.

**BUDGET**

Monday, January 14, 2002, 2:00 pm. Hearing Room 3.  
Presentation by Department of Economic Development on Tax Credits.

**BUDGET**

Tuesday, January 15, 2002, 8:30 am. Hearing Room 3.  
Budget overview by the Office of Budget and Planning.

**BUDGET**

Wednesday, January 16, 2002, 8:30 am. Hearing Room 3.  
Presentation by Missouri Consolidated Healthcare.

**JOINT COMMITTEE ON GAMING AND WAGERING**

Tuesday, January 15, 2002, 9:30 am. Hearing Room 4.  
Committee's report to the General Assembly. Election of new chairman.  
Executive Session to follow.

**LABOR**

Tuesday, January 15, 2002, 4:00 pm. Hearing Room 3.  
Informational seminar with Director of Division of Employment Security regarding  
unemployment compensation fund

**WORKERS COMPENSATION AND EMPLOYMENT SECURITY**

Tuesday, January 15, 2002, 4:00 pm. Hearing Room 3.  
Informational seminar on Employment Security.

**HOUSE CALENDAR**

THIRD DAY, MONDAY, JANUARY 14, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 5

**HOUSE BILLS FOR SECOND READING**

HB 1405 through HB 1438

**HOUSE BILL FOR PERFECTION**

HCS HB 1386 & 1038 - O'Connor

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRD DAY, MONDAY, JANUARY 14, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Heavenly Father, the first full week of this session begins today. The wheels of legislation begin to spin slowly but surely. Help to make our work this week a reflection of the beauty, truth, goodness, justice, and peace which You have placed so deeply within each of our hearts.

If we begin with You in body, mind, and soul, perhaps the laws passed here will more earnestly mirror You, who are justice and peace itself. On this Monday, guide and direct us all. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the second day was approved as corrected by the following vote:

AYES: 140

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 27	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker



NOES: 003

Hohulin                      Lograsso                      Wright

PRESENT: 001

Byrd

ABSENT WITH LEAVE: 016

Bartelsmeyer	Cierpiot	Dolan	Gambaro	Haywood
Hollingsworth	Hoppe	Kelly 144	Kelly 36	Levin
Mayer	Miller	Secrest	Shields	Troupe
Van Zandt				

VACANCIES: 003

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 12 - Representative Shoemaker (8)  
House Resolution No. 13 - Representative Abel  
House Resolution No. 14 - Representative Seigfreid  
House Resolution No. 15  
    through  
House Resolution No. 19 - Representative Reinhart  
House Resolution No. 20 - Representative Green (73)  
House Resolution No. 21 - Representative Berkowitz

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 5** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1405** through **HB 1438** were read the second time.

Former Representative Coleman assumed the Chair.

Speaker Kreider resumed the Chair.

### **ESCORT COMMITTEES**

The Speaker appointed the following Committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the House Chamber for Joint Session at 10:30 a.m., Tuesday, January 15, 2002: Representatives Barnitz, Curls, Daus, Harding, Gratz, Liese, Hendrickson, Naeger, Reid and Barnett.

The Speaker appointed the following Committee to escort Chief Justice of the Supreme Court of the State of Missouri, The Honorable Stephen Limbaugh, to the dais in Joint Session at 10:30 a.m., Tuesday, January 15, 2002: Representatives Carnahan, Harlan, Johnson (61), Mays (50), Monaco, Whorton, Gaskill, Marble, Bartelsmeyer and Levin.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1202** - Ways and Means

**HB 1399** - Public Safety, Law Enforcement and Veteran Affairs

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 6**, introduced by Representative Jetton, et al, relating to the September 11, 2001, attacks against the United States.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1439**, introduced by Representatives Myers, Behnen, Davis, Robirds, Shoemyer (9), Moore, Legan, Berkowitz and Mayer, et al, relating to tax credits for contributions to agricultural commodity development.

**HB 1440**, introduced by Representatives Riback Wilson (25), Harlan, Naeger, Kreider, Ladd Baker, Barry, Graham, Harding, Hilgemann, Kelly (27), Troupe and Van Zandt, relating to insurance coverage for mental health.

**HB 1441**, introduced by Representative Harlan, relating to the Missouri higher education savings program.

**HB 1442**, introduced by Representative Relford, relating to a memorial highway.

**HB 1443**, introduced by Representatives Barry, Hanaway, Hosmer and Portwood, et al, relating to the Safe Place for Newborns Act.

**HB 1444**, introduced by Representative Smith, relating to the licensure of homes for children.

**HB 1445**, introduced by Representative Smith, relating to security systems for public buildings.

**HB 1446**, introduced by Representative Luetkenhaus, relating to exclusions from certain insurance definitions.

**HB 1447**, introduced by Representative Luetkenhaus, relating to bail bonds.

**HB 1448**, introduced by Representative Kelly (27), relating to drivers' licenses.

**HB 1449**, introduced by Representatives Reid, Barry, Secrest, Holt, Bland, Bowman, Cooper, Enz, Bearden, Moore, Bartelsmeyer, Myers, Portwood, Selby, Dempsey, Townley, Scott, Mayer, Wright, Naeger, Liese, Gambaro, Merideth, Shoemyer (9), King, Marble, Villa, Purgason, O'Connor, Green (73), Bonner, Hoppe, Berkowitz, Richardson, Linton, Ballard, Reinhart, Boatright, Schwab, Barnitz, Ross, Hegeman, Hohulin, Lograsso, Shields, Quinn, Cunningham, Crowell and Kelly (144), et al, relating to human cloning.

**HB 1450**, introduced by Representatives Marble and Hickey, relating to retainage clauses for public contracts.

**HB 1451**, introduced by Representatives Kreider, Crump, Foley, Green (73), Green (15), Barry, Berkowitz, Abel, Campbell and Boucher, et al, relating to the addition of members of the general assembly to the Missouri board of public buildings.

**HB 1452**, introduced by Representatives Curls, Lowe, Walton, Bland, Haywood and Sanders Brooks, et al, relating to the regulation of check-cashing businesses.

**HB 1453**, introduced by Representative Hosmer, relating to public retirement systems.

**HB 1454**, introduced by Representative Johnson (90), relating to child support liens on bank accounts.

**HB 1455**, introduced by Representative O'Toole, relating to public retirement systems.

## **LETTER OF RESIGNATION**

January 14, 2002

Speaker Jim Kreider  
Room 308  
State Capitol

Dear Speaker Kreider:

Today I submit my letter of resignation as State Representative of the 63<sup>rd</sup> District effective 12 noon. I leave this illustrious post to allow the Governor to call a special election that may coincide with other necessary special election dates.

As Vice-Chair of the House Elections Committee, as well as the Interim Committee on Election Reform and Ballot Access, I am privy to the concerns of election officials in regard to special elections. Each special election held in the City of St. Louis costs the State of Missouri approximately \$120,000. As elections will be held to fill the seats of former Reps. Harry Kennedy and Louis Ford, I hope that my resignation will result in substantial cost savings. It is important to me that government demonstrates to its citizens that we care about every aspect of their lives. Saving money is a good starting point.

I have enjoyed and appreciated the opportunity to serve the people of the 63<sup>rd</sup> District and to share the awesome lawmaking responsibilities entrusted to my colleagues and me. Thank you for your leadership.

Live Long and Prosper,

/s/ Maida J. Coleman

### **WITHDRAWAL OF HOUSE BILL**

January 14, 2002

The Honorable Jim Kreider, Speaker  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Speaker:

I request that **HB 1229** (relating to offenses against the person) be withdrawn.

Thank you for your consideration of this request. Please feel free to contact me if you have any questions.

Thank you.

Respectfully yours,

/s/ Rick Johnson

The following members' presence was noted: Hickey and Mayer.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, January 15, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Second Day, Thursday, January 10, 2002, page 39, line 41, by deleting all of said line.

Page 40, line 40, by deleting all of said line and inserting in lieu thereof the following:

**HB 1155** - Social Services, Medicaid and the Elderly

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, January 16, 2002, 3:00 pm. Hearing Room 7.

Testimony from L. Mohler, Department of Agriculture; Dr. T. Payne, University of Missouri.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 15, 2002, 12:00 pm. Hearing Room 7.

Elected Officials, Department of Revenue

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 16, 2002, 12:00 pm. Hearing Room 7.

Department of Revenue, Public Debt - Office of Administration

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Tuesday, January 15, 2002, 12:30 pm. Hearing Room 6.

Department of Health, Mental Health and Senior Services

Focus on Health and Senior Services

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Wednesday, January 16, 2002, 11:00 am. or upon adjournment.

Department of Health, Mental Health and Senior Services

Focus on Health and Senior Services

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Thursday, January 17, 2002, 11:00 am. or upon adjournment.

Department of Health, Mental Health & Senior Services

Focus on Tobacco and Prescription Drugs

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 16, 2002, 1:00 pm. Hearing Room 5.

Departments of Economic Development and Revenue

Testimony regarding non-resident athlete and entertainer tax.

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Monday, January 28, 2002, 12:30 pm. Hearing Room 5.

Departments of Agriculture and Conservation

Hearing on Governor's recommendations

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, January 29, 2002. Upon adjournment, Hearing Room 5.

Department of Economic Development, Department of Labor & Industrial Relations

Governor's recommendations

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 30, 2002. Upon adjournment, Hearing Room 5.

Department of Natural Resources, Department of Insurance

Governor's recommendations

**BUDGET**

Tuesday, January 15, 2002, 8:30 am. Hearing Room 3.

Budget overview by the Office of Budget and Planning

**BUDGET**

Wednesday, January 16, 2002, 8:30 am. Hearing Room 3.

Presentation by Missouri Consolidated Healthcare

**BUDGET**

Thursday, January 17, 2002, 8:30 . Hearing Room 3.

Presentation on the State of Missouri's Public Debt

**EDUCATION - HIGHER**

Wednesday, January 16, 2002, 3:00 pm. Hearing Room 5.

Possible Executive Session

To be considered - HB 1086, HB 1131

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, January 17, 2002. Upon Adjournment, Senate Lounge.

For the purpose of electing a committee chairperson and vice-chairperson

**JOINT COMMITTEE ON GAMING AND WAGERING**

Tuesday, January 15, 2002, 9:30 am. Hearing Room 4.

Committee's report to the General Assembly

Election of new chairman. Executive Session to follow.

**LABOR**

Tuesday, January 15, 2002, 4:00 pm. Hearing Room 3.

Informational seminar with Director of the Division of Employment Security

Regarding unemployment compensation fund

**WORKERS COMPENSATION AND EMPLOYMENT SECURITY**

Tuesday, January 15, 2002, 4:00 pm. Hearing Room 3.

Informational seminar on Employment Security.

**HOUSE CALENDAR**

FOURTH DAY, TUESDAY, JANUARY 15, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 6

**HOUSE BILLS FOR SECOND READING**

HB 1439 through HB 1455

**HOUSE BILL FOR PERFECTION**

HCS HB 1386 & 1038 - O'Connor

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FOURTH DAY, TUESDAY, JANUARY 15, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Father, we pray that neither politics nor personal gain veer this House off course. Let the people's safety and progress truly be the supreme law of this assembly. Help us here to be mindful of all citizens, the poor, the rich, the weak, the powerful, all the humanity who people this great state of ours. Let these representatives sense again that one of their greatest accomplishments today is that they are serving those who have chosen them to sit and work in this great Chamber. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the third day was approved as corrected.

## RESOLUTION

Representative Gratz offered House Resolution No. 26

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 22	-	Representatives Overschmidt and Griesheimer
House Resolution No. 23	-	Representative Rector
House Resolution No. 24	-	Representatives Enz and Murphy
House Resolution No. 25	-	Representative Myers
House Resolution No. 27	-	Representative Holt
House Resolution No. 28	-	Representatives Miller and Bartelsmeyer
House Resolution No. 29	-	Representative Miller
House Resolution No. 30	-	Representative Vogel
House Resolution No. 31	-	Representative Mayer
House Resolution No. 32	-	Representative Campbell
House Resolution No. 33	-	Representative Surface
House Resolution No. 34		
and		
House Resolution No. 35	-	Representatives Scheve and Enz

### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 6** was read the second time.



**SECOND READING OF HOUSE BILLS**

**HB 1439** through **HB 1455** were read the second time.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following escort committee to act with a like committee from the House pursuant to **HCR 1**: Senators Gibbons, House, Jacob, Kennedy, Klarich, Klindt, Schneider, Steelman, Wiggins, Yeckel.

Representative Crump moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Hohulin                      Lograsso

PRESENT: 001

Reid

ABSENT WITH LEAVE: 008

Bray 84	Burcham	Gambaro	Hollingsworth	Secrest
Shoemyer	Thompson	Troupe		

VACANCIES: 003

## JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Joe Maxwell, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 032

Bentley	Bland	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons	Goode
Gross	House	Jacob	Johnson	Kennedy
Kenney	Kinder	Klarich	Klindt	Loudon
Mathewson	Quick	Rohrbach	Russell	Schneider
Sims	Staples	Steelman	Stoll	Westfall
Wiggins	Yeckel			

NOES: 000

ABSENT: 001

Singleton

VACANCIES: 001

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boykins	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton

Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Levin	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Skaggs	Smith	St. Onge	Surface
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Bartelsmeyer	Burcham	Burton	Byrd
Franklin	Gambaro	Gaskill	Hollingsworth	Hosmer
Lograsso	Mays 50	Murphy	Purgason	Reynolds
Ridgeway	Secrest	Shoemyer	Thompson	Troupe

VACANCIES: 003

The Doorkeeper announced the approach of the Honorable Stephen N. Limbaugh, Jr. The Missouri Supreme Court Chief Justice was duly escorted to the House Chamber and the Speaker's dais, where he addressed the members of the Joint Session.

## STATE OF THE JUDICIARY ADDRESS

By  
Chief Justice Stephen N. Limbaugh, Jr.  
to the  
91st General Assembly, Second Regular Session

January 15, 2002

President Maxwell, Speaker Kreider, distinguished members of the Senate and House of Representatives. My office in the beautiful red brick building across the street is adorned with photographs and wall hangings and tables full of mementos and newspaper clippings and all sorts of personal reminders of my family and my career and my many blessings. Prominently displayed on one wall is a framed copy of the collection of photographs of each of the members of the House of Representatives who served in the 56th General Assembly some 70 years ago in 1931 and 1932. The original of the collection hangs on the fourth floor of this building, and my copy is one of the items in my office that I cherish most. You see, one of the photographs depicts my grandfather, the original "Rush Limbaugh," who passed away just six years ago at age 104.

My grandfather served only one term. He didn't run for reelection. He said he couldn't afford it! But he looked back on those two short years with immense pride. While here, he co-sponsored the bill that created the Missouri State Highway Patrol and another bill that consolidated many dozens of tiny rural public school districts like that which operated the one-room school he attended as a child. And as a lawyer-legislator, he was one of three members of the House selected to prosecute the impeachment trial of the state treasurer for misdeeds in office. Although my grandfather served only one term, he always regarded the honor of serving as a member of the House of Representatives to be one of the highlights of his long career and, indeed, one of the highlights of his long life.

I learned about the honor of service, the honor of public service, first from my grandfather, then from my father, who is a senior United States District Judge. Having served on the bench myself for nearly 15 years, first as a circuit judge and now as a judge on the Supreme Court, I appreciate more than ever the honor of my office and the responsibilities that go with it.

The honor of serving the public is the theme of my presentation on the state of the judiciary. Those who serve as judges, like those who serve in the General Assembly, must do so for the honor of serving the public. In my mind, the best account of the state of the judiciary is to show how our judiciary lives up to that honor. To that end, and on behalf of our judges at every level of the judiciary, I invite you to our courthouses, so that you may see first hand the administration of justice in this state. A visit to our courthouses, for you legislators who may be concerned about the doctrine of separation of powers, is no breach of protocol. To be sure, our forefathers built into our system of government a healthy tension between the three branches of government, but that tension should not preclude a healthy interaction between the three branches of government.

This very afternoon, we will hear oral arguments in the Supreme Court. You are invited. There are two cases on the docket, and they are representative of our usual fare in the sense that they are cases that present the novel and difficult and complex legal issues of the day. The first case is *State of Missouri v. Planned Parenthood and The Director of the Missouri Department of Health*, which deals with the constitutionality of and eligibility for family planning appropriations related to abortion services. The second case is *State of Missouri v. Andre Cole*, the direct appeal of a death sentence. If you cannot attend in person, you may tune in on the Internet.

Should you favor us with a visit, you will see the members of the Court engage in a vibrant, if sometimes esoteric, dialogue with the lawyers representing their clients. You will see the difficulty and complexity of the issues raised by the parties. You will see how we members of the Court struggle with those issues in an effort to follow the law as written in our constitution and the statutes you enact. And it is our hope that you will understand that the resolution of the cases depends not on our personal preferences, or even on our personal notion of the equities involved, but on our abiding oath to follow the law as written in our constitution and the statutes you enact.

This afternoon will be the last time our colleague, Judge John Holstein, sits with the Court, as he has announced his retirement after 27 years on the bench. Judge Holstein is the only judge in the history of the state to have served at every level of the judiciary — as magistrate/probate judge, associate circuit judge, circuit judge, judge of the court of appeals, and for the last 12 years, judge of the Supreme Court. As a consequence of his wealth of experience, he brought to the Supreme Court a special insight on so many difficult legal issues, not only those involving the processing and trial of cases, but those involving the substance of the law as well. Without fail, he served with honor and dignity, and with an unswerving commitment to our system of justice. We will miss him, and we wish him well as he returns to private practice.

Judge Holstein, would you stand to be recognized.

Though the difficult and weighty legal issues of the day are addressed in the Supreme Court, it is even more important that you visit the county courthouses throughout the state where every day, in hundreds of cases, justice is meted out person to person, face to face. The judges there will welcome you.

The decision-making process in the trial courts is different than that in the appellate courts. In general, appellate courts address only issues involving the application of the law, and they defer to the factual determinations made in the trial courts by judges and juries that have had the benefit of seeing the witnesses and hearing their testimony in person. Those of you who have served on juries know the difficulty and frustration of sorting out conflicting testimony, of determining whether seemingly believable witnesses are telling the truth, fabricating falsehoods, or perhaps simply mistaken. Trial judges sort out that testimony for a living, presiding over the great majority of cases that are tried without a jury. But that is only part of the job. After the factual determinations of a case are made, it is necessary to fashion a proper resolution. It is a hard thing to sit in judgment on another person, whether in the imposition of sentence in a criminal case, or the assessment of damages in a civil case, or the determination of custody and support in a dissolution case. The resolution of such cases requires more than the mere application of the law to the facts, the resolution requires the exercise of sound discretion.

When you visit your county courthouse, go first to the criminal courts. There you will find judges striving to maintain the balance between society's need for vigorous prosecution of criminal offenders and the equally important need to ensure to those who are accused of criminal offenses the fundamental and inalienable rights associated with the presentation of their defense. The vast majority of cases are disposed by pleas of guilty without a trial, and, as I mentioned, most of the cases that go to trial are tried without a jury. In all those criminal cases, the judge must exercise his or her sound discretion in imposing punishment. You will see some cases that call for righteous indignation and a severe sentence, and other cases that call for a measure of compassion and a chance for redemption on probation. You will see that the saving of souls is a large part of the judge's work, and that for each judge, the dispositions in criminal cases are ultimately matters of conscience.

Allow me to offer two examples from my own experience that are representative of the kinds of cases on the dockets of the criminal courts. As a circuit judge, I heard only one death penalty case. Under the law, the range of punishment in those cases is simply death, or life imprisonment without parole. Like all death penalty cases, the crime in this case was horrendous. It involved an execution-style murder. The victim was bound up and shot in the back of the head. And so the prosecutor justifiably argued that the death penalty should be imposed. Defense counsel argued for a life sentence because the defendant did not have a significant history of criminal offenses, and the defendant, himself, was genuine in expressing remorse for his conduct and sympathy for his victim. In addition, he had pled guilty instead of going to trial. Unlike most of the defendants we see in capital cases, this man seemed salvageable, and I sentenced him to life in prison without parole.

The other case involved a defendant charged with felony child abuse. She was the mother of the child in question. The young child had been beaten and sexually abused. During the plea of guilty, it became clear that although a boyfriend was the actual perpetrator, the defendant, who had not been in any danger herself, knew of the abuse and allowed it to go on. Evidence also was developed, as is often the case, that the defendant had been the victim of similar abuse during her own upbringing. The discretionary call to be made was how best to cut the generational cycle of abuse — to send the defendant to prison so that she would understand the consequences of her acts and be deterred from those acts in the future, or to try to rehabilitate her by placing her on probation with conditions that she undergo counseling and therapeutic treatment and courses on parenting skills. I learned, however, that on more than one occasion before the offense occurred, the defendant had been reported to the Division of Family Services and that earlier efforts to rehabilitate her obviously had failed. In that case, I sent the defendant to prison.

As I said, these are the kinds of cases that confront our judges every day. There are hard cases, and it is not unusual for us to second-guess the wisdom of our decisions. Was the punishment too harsh? Was it not harsh enough? Have we lived up to the honor of our office by doing justice in the case?

On your visit to the courthouse, I also would direct you to the courtrooms in which our judges hear domestic cases — dissolutions, motions to modify custody and support, cases involving emergency orders of protection, and the like. In the cities and the larger outstate circuits, domestic cases are heard in statutory family courts, presided over by judges who have special training in that area of the law. The common experience of judges who hear domestic cases is that all too often they see people at their worst, people who are ordinarily good and decent folks, but whose lives are in turmoil and trauma because of the breakup of a marriage or a battle over custody of their children. In many cases, it is no small chore for judges to divide the marital property, but that chore is nothing compared to the obligation to

divide up the kids. It should be no wonder to you that the rate of attrition for judges working in the family courts is very high, and most judges transfer to the criminal or civil courts after two or three years. Except for a few saintly types like my friends Judge Tom Frawley in St. Louis City and Judge Susan Block in St. Louis County, burn out is unavoidable. Our sense of empathy for the parties to those cases — the anguish that we feel for both the parents and the children — can, after a time, be difficult to bear.

To draw on my own experience once again, I remember the visit to my court by my then state representative, and your longtime colleague, Mary Kasten. Undoubtedly, you remember that she was actively involved in issues pertaining to children and families, and on the day of her visit, I was hearing a child custody case. At the request of counsel for both sides, I agreed to conduct a closed-door examination of the child who, as I recall, was 8 or 9 years old. Although the arrangement was that neither the parents nor the lawyers would be present, everyone agreed that Representative Kasten, who as you know has always been a soothing influence, could sit in with me. I took the child to the jury room, and my court reporter and I sat with him at the conference table while Representative Kasten sat off to the side. I began with gentle questions designed to impress upon the child the importance of telling the truth and to assure the child that I was there solely to look out after his best interest. After I spent some time with questions about his school and his outside activities and his friends, I got around to the tough part. The exchange was something like this:

Do you love your mom? Yes.

Do you love your dad? Yes.

Do you like to be with your mom? Yes.

Do you like to be with your dad? Yes.

If you can't be with both of them, would you be happier with your mom or with your dad? I want to be with both of them and I want them to be together.

I don't remember how I decided this case, but as you can see, there was no good solution available. In any event, Mary Kasten went away with the kind of understanding of the work of the courts that I wish all of you could have.

That said, whatever you learn from your trip to the courthouse still will not give you a full picture of the obligation of judges. Our judges know full well that the effort to live up to the honor of their office must not stop at the courthouse door and that the honor of their office means more than the competent and professional processing of cases. In that regard, our judges statewide donate their time and talents to a host of activities that pertain to the improvement of the administration of justice as a whole. Some judges serve on our continuing education committees that provide essential training not only for judges, but also for court clerks, court reporters and juvenile officers. Most courses are taught by the judges, themselves, some of whom have become master teachers. Other judges, like Judge Robert Dierker of St. Louis, contribute with their writing skills. For instance, Judge Dierker has been instrumental in the preparation and publication of our scholarly and immensely practical Trial Judges Bench Books, and he recently published an invaluable treatise on the practice of criminal law in Missouri.

My immediate predecessor as chief justice, Judge Ray Price, chairs the Drug Court Commission, and serves with several other judges, legislators and executive branch officials. Certainly the work of that Commission, which is to make available alternatives to incarceration for non-violent drug offenders, is critically important in these times where there is no money to open new prisons, even those that are already built.

In addition, Judge Richard Teitelman of the Court of Appeals in St. Louis, who is sight-impaired, chairs the Supreme Court's Ad Hoc Committee on the Courts and the Disabled. He serves with several other interested members of the judiciary, as well as with a number of lay persons and with Representative Chuck Graham who has provided his valuable insight and assistance. The Committee is undertaking a survey of our courtrooms and the practices in our courts so that we can ensure that reasonable accommodations are provided to persons with disabilities. We judges want to convey the message that equal access to justice necessarily means equal access to the courthouse.

Indeed, there is a wide variety of administrative committees, and the list of judges who volunteer for the work of those committees is extensive. We have committees that address issues ranging from the review and promulgation of jury instructions in both civil and criminal cases, to forms and procedures for judicial record keeping, to the administration of examinations for our certified court reporters, to mention just a few.

One administrative committee that merits particular attention is the statutorily created Missouri Court Automation Committee. The Committee is composed not only of judges, but also of court clerks and legislators, and the primary purpose, as you know, is to provide a uniform, statewide computerization system that gives courts greater capacity to manage dockets while allowing instant access to all public court records. Senators Jacob and Klindt, and Representatives Carnahan and Crowell, serve as the legislative members of the committee and are becoming well versed on the issues. The project is half-complete, and the need has never been greater, especially from the standpoint of law enforcement and public safety.

A case in point occurred three years ago when a Missouri State Highway Patrol trooper was shot and killed while making an arrest. The arrestee was wanted on felony warrants from another Missouri county, but the trooper had no idea of the need for extra caution because of the delay in manual transmission of the warrant information from the court to the Highway Patrol. One feature of court automation on the immediate horizon is the near real-time transmission of warrant information and adult protection orders to the Highway Patrol for statewide access by law enforcement agencies. It is a feature that may well save lives.

The extracurricular work of our judges is by no means limited to the work of our administrative committees. In that connection, I must admit that I have long looked forward to the opportunity to showcase the selfless public service performed by so many of our judges.

Consider the example of my friend Jack Garrett who is presiding judge of the 37<sup>th</sup> Circuit in southern Missouri. For about 5 years running, Judge Garrett and his chief juvenile officer have sponsored an annual conflict resolution task force for teenagers. They target 7<sup>th</sup> grade students in each of the circuit's 19 school districts. With the assistance of college students from SMSU, they conduct small group seminars to address issues such as bullying, school violence and substance abuse. In addition, Judge Garrett sponsors an annual mediation camp and workshop for students in grades 6 through 8, training those students to develop and implement peer-mediation panels in their schools.

In Kansas City, our family court judges have implemented a truancy diversion program in which several judges, led by Judge Steve Nixon and Judge Marco Roldan, meet with "at risk" children and their parents or parent once each week at 7:30 a.m. The judges discuss not only the truancy problem, but also other family needs that may be contributing to the problem, including the child's safety and well-being and parental accountability for the child's needs. Last summer, Judge Nixon took the children he is working with to a Royals baseball game. Judge Roldan has found his Hispanic roots to be of value in working with the families at the McCoy Elementary School where English is a second language.

The truancy diversion program originated in St. Louis City and County where it continues to flourish. The two saintly judges I mentioned earlier, Tom Frawley in the City and Susan Block in the County, are the chief administrative judges of their respective family courts. In that capacity, they have assembled teams of judges and an occasional lawyer who make weekly visits to troubled children in the city and county school districts.

Circuit Judge Joan Burger, who sits in a criminal division of the Circuit Court of St. Louis City, is one of the volunteers for the truancy program. Several weeks ago she authored an article published in the St. Louis Post-Dispatch describing the program, and I have taken the liberty of sending a copy of that article to each one of you. She wrote that "My motivation is simply this: 85 percent of the people in prison are high school dropouts. I thought that if I can keep them in school, then maybe I won't have to send them to prison." I ask that you read about the details of the program yourselves, but I'll share Judge Burger's conclusion: "In most cases, attendance improves immediately. All the words and threats and tears of parents, teachers and counselors haven't worked, but the authority of the judge and the frequent court dates turn these kids around." Despite that conclusion, progress is often made in small steps. According to Judge Burger, "One child was doing poorly in history, so I gave him an assignment of going to the library and bringing a history book to court. He brought me [a book on] the history of skateboarding!"

I also want to mention another St. Louis City judge, Judge Henry Autrey, a former prosecutor, who serves in a number of other ways. He speaks to various groups on the issue of child abuse prevention. He also participates in reading exercises and tutoring programs for young children at city schools. But his most personally fulfilling service is playing the role of Santa Claus for the elderly residents at a local nursing home. According to Judge Autrey, "We forget the sacrifices they made and the hard work they endured so that we could achieve our personal successes."

And then there is my new colleague on the Supreme Court, Judge Laura Stith, who, despite her appointment to this Court, continues her service as a charter member of a Kansas City organization called LEAP, Lawyers Encouraging Academic Performance. For two or three hours every week, Judge Stith and several other judges take one or two grade school girls each, girls who are from the inner city, from needy families, and some from homeless families, and they buy their school supplies, tutor them, mentor them, and help them through school.

I apologize for having spent too much time dwelling on the challenges and difficulties and the sacrifices of judicial service. We judges are honored to serve. That honor comes first and foremost from the fact that we are the ones entrusted to resolve the challenging and difficult cases of the day. When we are able to resolve those cases with competence, professionalism, impartiality and dispatch — indeed when we resolve those cases with justice — our jobs are fulfilling and rewarding beyond measure.

It must be said, too, that not all of our cases pose challenges and difficulties, but the honor of serving is present nonetheless. As a trial judge, among my favorite cases were adoption cases, which I handled for two or three years as part of my duties as a judge of the juvenile court. I held juvenile court on Fridays, and I heard adoption cases on the first Friday of each month, except in December, when I saved all the adoption cases for the Friday before Christmas. Adoption cases fall into several categories, the adoption of children from unwanted pregnancies, the adoption of children of parents whose parental rights were terminated for abuse or neglect, step-parent adoptions, and international adoptions of orphaned children who are given hope for a bright future in the United States. Unlike other cases where all too often we see people at their worst and the conflicts presented seem irreconcilable and the solutions we have to offer are less than satisfactory, in adoption cases we see people at their best, and the only complications are those in tying up the legal loose ends to ensure that the adoptive child will have the blessing of a safe home and loving family.

At the conclusion of one of the first adoption cases I heard, a remarkable thing happened. As I pronounced judgment, the lawyer representing the adoptive family asked leave to approach the bench. Instinctively, I thought there must be a problem. But the lawyer came up to me and whispered, "Judge, would you mind having your picture taken with the new family?" And so I came down off the bench in my black robe, and I took the young child in my arms flanked by the two proud parents with tears in their eyes, and the guardian ad litem, not about to miss out on the action, snapped picture after picture. And we all rejoiced!

Now that is an honor! From that day forward, lawyers in my adoption cases didn't have to ask if I would mind having my picture taken with the new family, I insisted!

In conclusion, I wish that each of you could experience the great honor to serve as judge of this state, but I am sure that my grandfather had it right — that each of you feels the same way about the great honor you have of serving in the legislature.

As you progress with the session, I ask that you take fair account of the needs of the judiciary.

And finally, for all the good work you will do for the citizens of this state, I bid you Godspeed.

Thank you.

The Joint Session was dissolved by Lieutenant Governor Maxwell.

Speaker Kreider resumed the Chair.



## PERFECTION OF HOUSE BILL

**HCS HBs 1386 & 1038**, relating to tinted windows, was taken up by Representative O'Connor.

Representative O'Connor offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1386 & 1038, Page 2, Section 307.173, Line 28, by deleting all of said line and inserting in lieu thereof the following:

**"any titleholder or relative within the second degree by consanguinity or affinity, which shall mean a spouse, each grandparent, parent, brother, sister, niece, nephew, aunt, uncle, child, and grandchild of a person, who";**  
and

Further amend said bill, Page 2, Section 307.173, Line 29, by deleting the word "**reside**" and inserting in lieu thereof the word "**resides**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative O'Connor, **House Amendment No. 1** was adopted.

On motion of Representative O'Connor, **HCS HBs 1386 & 1038, as amended**, was adopted.

On motion of Representative O'Connor, **HCS HBs 1386 & 1038, as amended**, was ordered perfected and printed.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1143** - Commerce and Economic Development

**HB 1241** - Children, Families and Health

**HB 1338** - Education-Elementary and Secondary

## INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 7**, introduced by Representative Boykins, to request the United States Congress and the Department of Health and Human Services to provide financial support for each state in the event of an act of bioterrorism.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1456**, introduced by Representative Smith, relating to open records for public hospitals.

**HB 1457**, introduced by Representatives Wagner and McKenna, relating to fire protection districts.

**HB 1458**, introduced by Representatives Reid, Selby, Bartelsmeyer and Portwood, et al, relating to human embryos.

**HB 1459**, introduced by Representative Reid, relating to spreading disease to livestock or animals.

**HB 1460**, introduced by Representatives Hilgemann, Carnahan, Villa, Shelton, Gambaro, Boykins, Johnson (61) and Daus, et al, relating to compulsory attendance age for public schools.

**HB 1461**, introduced by Representatives Seigfreid, Long, Carnahan, Kreider, Bartelsmeyer, Farnen, Harding, Abel and Boykins, et al, relating to elections.

**HB 1462**, introduced by Representative Rizzo, relating to drivers' licenses.

**HB 1463**, introduced by Representatives Selby, Bland, Skaggs and Bowman, relating to sales tax exemptions for new motor vehicles and watercraft that are manufactured in the state of Missouri.

**HB 1464**, introduced by Representative Reid, relating to special license plates.

**HB 1465**, introduced by Representative Smith, relating to the deceptive sale or promotion of health-related cash discount cards.

**HB 1466**, introduced by Representatives Berkowitz and Koller, relating to the state highways and transportation department fund.

**HB 1467**, introduced by Representatives Hendrickson, Enz and Murphy, relating to assessed value of residential property.

**HB 1468**, introduced by Representative Ward, relating to commercial insurance.

**HB 1469**, introduced by Representatives Hosmer, Hilgemann, Berkowitz, Copenhaver, Harlan and Ladd Baker, relating to the Medicaid home- and community-based waiver.

**HB 1470**, introduced by Representative Skaggs, relating to early voting procedures.

**HB 1471**, introduced by Representative Skaggs, relating to self-service storage facilities.

**HB 1472**, introduced by Representatives Whorton, Myers, Black, Shoemyer (9), Merideth, Abel and Lawson, et al, relating to alternative fuels.

### WITHDRAWAL OF HOUSE BILLS

January 15, 2002

The Honorable Jim Kreider  
Speaker of the House  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request **House Bill 1197**, relating to fire districts, be withdrawn.

Thank you for your consideration.

Sincerely,

/s/ WES WAGNER

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January 9, 2002

The Honorable Jim Kreider  
Speaker of the Missouri House of Representatives  
Room 308, State Capitol  
Jefferson City, MO 65101

Dear Speaker Kreider:

Please withdraw **House Bill 1210**. Thank you for your time and attention to this matter.

Sincerely,

/s/ Representative Bill Boucher

The following members' presence was noted: Shoemyer (9) and Troupe.

### ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, January 16, 2002.

**CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Second Day, Thursday, January 10, 2002, page 40, line 40, by deleting all of said line and inserting in lieu thereof the following:

**HB 1156** - Social Services, Medicaid and the Elderly

**COMMITTEE MEETINGS**

**AGRICULTURE**

Wednesday, January 16, 2002, 3:00 p.m. Hearing Room 7.

Testimony from L. Mohler, Department of Agriculture; Dr. T. Payne, University of Missouri.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 16, 2002, 12:00 p.m. Hearing Room 7.

Public Debt and Judiciary. AMENDED NOTICE.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 7.

Office of Administration, Public Debt, Public Defender and Judiciary.

**APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Wednesday, January 16, 2002, 11:00 a.m. or upon adjournment.

Department of Health, Mental Health and Senior Services

Focus on Health and Senior Services.

**APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Thursday, January 17, 2002, 11:00 a.m. or upon adjournment.

Department of Health, Mental Health and Senior Services

Focus on Tobacco and Prescription Drugs.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 16, 2002, 1:00 p.m. Hearing Room 5.

Department of Economic Development and Department of Revenue.

Testimony regarding non-resident athlete and entertainer tax.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Monday, January 28, 2002, 12:30 p.m. Hearing Room 5.

Department of Agriculture and Department of Conservation

Hearing on Governor's recommendations.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, January 29, 2002. Upon adjournment, Hearing Room 5.

Department of Economic Development, Department of Labor and Industrial Relations

Governor's recommendations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 30, 2002. Upon adjournment, Hearing Room 5.

Department of Natural Resources, Department of Insurance  
Governor's recommendations.

BUDGET

Wednesday, January 16, 2002, 8:30 a.m. Hearing Room 3.

Presentation by Missouri Consolidated Healthcare.

BUDGET

Thursday, January 17, 2002, 8:30 a.m. Hearing Room 3.

Presentation on the State of Missouri's Public Debt

BUDGET

Monday, January 21, 2002, 1:00 p.m. Hearing Room 3.

Presentation and discussion of private sector reports on Missouri state expenditures.

BUDGET

Wednesday, January 23, 2002, 1:00 p.m. Hearing Room 3.

Presentation by Commission reporting on Missouri's budgetary process.

CHILDREN, FAMILIES, AND HEALTH

Thursday, January 17, 2002, 8:00 a.m. Hearing Room 5.

To be considered - HB 1097, HB 1192, HB 1241

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 16, 2002. 1:00 p.m. Hearing Room 1.

To be considered - HB 1077, HB 1098

AMENDED.

CONSERVATION, STATE PARKS AND MINING

Monday, January 28, 2002, 5:30 p.m. Runge Conservation Nature Center.

To be discussed: Quail; Draft DNR proposed regulations pertaining to sand and gravel mining.

EDUCATION - HIGHER

Wednesday, January 16, 2002, 3:00 p.m. Hearing Room 5.

Possible Executive Session. CANCELLED.

To be considered - HB 1086, HB 1131

ENVIRONMENT AND ENERGY

Thursday, January 17, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 1149

**INTERIM COMMITTEE ON TAX EFFICIENCIES**

Wednesday, January 16, 2002, 9:00 a.m. Hearing Room 6.

Discuss interim committee report.

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, January 17, 2002. Upon Adjournment, Senate Lounge.

For the purpose of electing a committee chairperson and vice-chairperson.

**JUDICIARY**

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 5.

To be considered - HB 1037, HB 1074, HB 1188, HB 1271

**HOUSE CALENDAR**

FIFTH DAY, WEDNESDAY, JANUARY 16, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 7

**HOUSE BILLS FOR SECOND READING**

HB 1456 through HB 1472

**HOUSE BILL FOR THIRD READING**

HCS HB 1386 & 1038, E.C. - O'Connor

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTH DAY, WEDNESDAY, JANUARY 16, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Loving God, we thank You for this new day. Strengthen these men and women of the House, and the staff that supports them in the belief that Your truth is far better than any lie, that the power of love is greater than the power of hate, that the patience to work through conflict is a way to peace, and that the inner struggle to put self-service aside in order to serve others is always worth the effort.

Give to them also, in Your grace, a hearty laugh this day at an unexpected moment. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as corrected.

## RESOLUTION

**House Resolution No. 20** was taken up by Representative Green (73) and read.

### HOUSE RESOLUTION NO. 20

WHEREAS, the members of the Missouri House of Representatives take pause to recognize a loyal and conscientious state employee who has demonstrated exceptional competence and superb leadership over the years while assisting elected officials with their diverse legislative and fiscal responsibilities; and

WHEREAS, Stephen L. Price will step down from his esteemed position as Staff Director for House Appropriations in order to enjoy the special opportunities and pleasures traditionally associated with the golden years of retirement; and

WHEREAS, employed by the state of Missouri for an impressive twenty-nine years, Stephen Price worked for the State Auditor's Office from July 1973 to January 1977 before shifting the focus of his endeavors to House Appropriations; and

WHEREAS, during his more than two decades with House Appropriations, Stephen Price diligently ensured that the state of Missouri maintained the fiscally sound policy of developing and passing a balanced budget; and

WHEREAS, a Certified Public Accountant and a Certified Government Financial Manager, Stephen Price earned a Bachelor of Science degree in business administration with an emphasis in accounting from the University of Missouri-Columbia; and

WHEREAS, Director Stephen Price holds the rank of Lieutenant Colonel in the Missouri Army National Guard and enjoys membership with numerous professional organizations, Central United Church of Christ, the Missouri State Employees Retirement System Board of Directors, Missouri State Credit Union Board of Directors, Capitol Projects (Sheltered Workshop) Board of Directors, and Capital Region Medical Center Foundation Board of Governors and Board of Trustees; and

WHEREAS, Stephen Price is the devoted husband of Bev and the proud father of Steve and Tricia:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously to applaud the exemplary leadership, superb technical skills, and wide-ranging knowledge of Stephen Price and to convey to him this legislative body's heartiest congratulations upon his retirement from House Appropriations and our best wishes for continued personal and professional success for many more years to come; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution to acknowledge the retirement of Staff Director Stephen L. Price from the Office of House Appropriations.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 36 - Representative Kelly (144)  
House Resolution No. 37  
and  
House Resolution No. 38 - Representatives Ross and Lograsso  
House Resolution No. 39 - Representatives Richardson and Jetton  
House Resolution No. 40 - Representative Graham  
House Resolution No. 41 - Representative Haywood  
House Resolution No. 42 - Representative Rizzo  
House Resolution No. 43 - Representative Murphy  
House Resolution No. 44 - Representative Skaggs, et al  
House Resolution No. 45 - Representative Relford

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 7** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1456** through **HB 1472** were read the second time.

### **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:



Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 1386 & 1038, as amended**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

### THIRD READING OF HOUSE BILL

**HCS HBs 1386 & 1038**, relating to tinted windows, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HCS HBs 1386 & 1038** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Hickey	Murphy	Reynolds
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PRESENT: 000

4      *Journal of the House*

ABSENT WITH LEAVE: 004

Gambaro                      Hollingsworth                      Levin                      Ridgeway

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 005

Hickey                      Hohulin                      Lograsso                      Murphy                      Reynolds

PRESENT: 000

ABSENT WITH LEAVE: 006

Gambaro                      Hilgemann                      Hollingsworth                      Levin                      Myers  
Ridgeway

VACANCIES: 003

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1473**, introduced by Representatives Green (15), Whorton and Abel, relating to health insurance.

**HB 1474**, introduced by Representatives Green (15) and Abel, relating to a state employee's leave of absence to perform military duties.

**HB 1475**, introduced by Representative Kelly (27), et al, relating to tuition reimbursement for state employees.

**HB 1476**, introduced by Representative Graham, relating to passing bad checks in payment of taxes.

**HB 1477**, introduced by Representative Farnen, relating to the Missouri health and educational facilities act.

**HB 1478**, introduced by Representatives Lograsso, Richardson, Crowell, Shields, Black, Bartelsmeyer, Barnett and Merideth, relating to special license plates.

**HB 1479**, introduced by Representative Ladd Baker, relating to the emergency preparedness resource act administered by the department of social services and the department of health and senior services.

**HB 1480**, introduced by Representatives Dempsey, Bearden, Moore, Cunningham, Copenhaver and Hendrickson, et al, relating to school board approval of tax increment financing.

**HB 1481**, introduced by Representatives Bray and Hanaway, relating to foster parent rights and responsibilities.

**HB 1482**, introduced by Representatives Mays (50) and Burton, relating to the public service commission.

**HB 1483**, introduced by Representatives Jolly, Willoughby, Selby, Boucher, Harding, Kelly (27), Monaco and Johnson (90), et al, relating to assault crimes.

**HB 1484**, introduced by Representatives Johnson (90) and Kreider, relating to private investigators.

**HB 1485**, introduced by Representative Johnson (90), relating to child abuse investigations.

**HB 1486**, introduced by Representatives Crawford, Scott and Luetkemeyer, relating to residency requirements for fire protection district directors.

**HB 1487**, introduced by Representatives Hegeman, Secrest and Hanaway, relating to bid preferences for products and services located in Missouri.

**HB 1488**, introduced by Representatives Skaggs, Van Zandt, Wilson (42), Boucher, Sanders Brooks, Mays (50) and Curls, et al, relating to taxation for public mass transportation systems.

**HB 1489**, introduced by Representatives Britt, Merideth, Hosmer, Barnitz, Crowell, Mayer and Richardson, relating to county crime reduction funds.

**HB 1490**, introduced by Representatives Hosmer and Marsh, relating to sentencing.

**HB 1491**, introduced by Representatives Shelton, Gambaro, Daus, Walton, Hilgemann, Carnahan and Villa, et al, relating to minority teaching scholarships.

**HB 1492**, introduced by Representative Seigfreid, relating to elections.

**HB 1493**, introduced by Representative Seigfreid, relating to elections.

**HB 1494**, introduced by Representative Seigfreid, relating to elections.

**HB 1495**, introduced by Representative Seigfreid, relating to elections.

**HB 1496**, introduced by Representatives Green (15) and Hanaway, relating to tax increment financing.

**HB 1497**, introduced by Representatives Boucher and Wilson (42), relating to tax credits for building universally designed lifetime homes.

**HB 1498**, introduced by Representatives Johnson (90), Britt, Hosmer, McKenna, Harding, Jolly, Shoemyer (9), Willoughby and Berkowitz, et al, relating to sexual offenses against inmates and residents in skilled nursing facilities and Alzheimer's special units or programs.

**HB 1499**, introduced by Representative Lograsso, relating to state mental health employees.

**HB 1500**, introduced by Representative Mays (50), relating to landlord agreements with telecommunication providers.

**HB 1501**, introduced by Representatives Boucher, Jolly, Harding, Wilson (42), Curls, Monaco, Campbell and Lowe, et al, relating to restrictions for payday loans.

**HB 1502**, introduced by Representatives Luetkenhaus, Ward, Burton, Abel and Surface, relating to credit information used in insurance underwriting.

**HB 1503**, introduced by Representative Liese, relating to cemetery services.

**HB 1504**, introduced by Representative Liese, relating to special license plates.

### COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Boykins has been appointed a member of the Banks and Financial Institutions Committee.

Representative Boykins has been appointed Vice-chair of the Elections Committee.

Representative Bowman has been appointed Vice-chair of the Labor Committee.

### WITHDRAWAL OF HOUSE BILLS

January 16, 2002

The Honorable Jim Kreider  
Speaker of the House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Speaker:

I request that **House Bill 1238** relating to Neighborhood Improvement District Bonds be withdrawn.

Thank you for your consideration of this request. Please feel free to contact me if you have any questions.

Sincerely,

/s/ Daniel J. Hegeman  
5<sup>th</sup> District State Representative

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January 16, 2002

Honorable Jim Kreider  
Speaker  
Missouri House of Representatives  
Capitol Building  
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request to withdraw **House Bill 1462** of which I am the sponsor.

Thank you for your consideration of this matter.

Sincerely,

/s/ Henry Rizzo  
State Representative  
District #40

The following members' presence was noted: Gambaro and Ridgeway.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 17, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fourth Day, Tuesday, January 15, 2002, pages 57 and 58, roll call, by showing Representative Gambaro voting "aye" rather than "absent with leave".

Pages 58 and 59, roll call, by showing Representatives Bartelsmeyer and Gambaro voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 7.

Office of Administration, Public Debt, Public Defender and Judiciary. CANCELLED.

#### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Thursday, January 17, 2002, 11:00 a.m. or upon adjournment.

Department of Health, Mental Health & Senior Services

Focus on Tobacco and Prescription Drugs.

#### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Monday, January 28, 2002, 12:30 p.m. Hearing Room 5.

Department of Agriculture, Department of Conservation

Hearing on Governor's recommendations.

#### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, January 29, 2002. Upon adjournment, Hearing Room 5.

Department of Economic Development, Department of Labor & Industrial Relations

Governor's recommendations.

#### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 30, 2002. Upon adjournment, Hearing Room 5.

Department of Natural Resources, Department of Insurance

Governor's recommendations.

#### **BUDGET**

Thursday, January 17, 2002, 8:30 a.m. Hearing Room 3.

Presentation on the State of Missouri's Public Debt

**BUDGET**

Monday, January 21, 2002, 1:00 p.m. Hearing Room 3.  
Presentation and discussion of private sector reports on Missouri state expenditures.

**BUDGET**

Wednesday, January 23, 2002, 1:00 p.m. Hearing Room 3.  
Presentation by Commission reporting on Missouri's budgetary process.

**CHILDREN, FAMILIES, AND HEALTH**

Thursday, January 17, 2002, 8:00 a.m. Hearing Room 5.  
To be considered - HB 1097, HB 1192, HB 1241

**CONSERVATION, STATE PARKS AND MINING**

Monday, January 28, 2002, 5:30 p.m. Runge Conservation Nature Center.  
To be discussed: Quail; Draft DNR proposed regulations pertaining to sand and gravel mining.

**EDUCATION - ELEMENTARY AND SECONDARY**

Thursday, January 17, 2002, 8:30 a.m. Hearing Room 1.  
To be considered - HB 1062, HB 1063, HB 1338

**ENVIRONMENT AND ENERGY**

Thursday, January 17, 2002, 8:30 a.m. Hearing Room 7.  
To be considered - HB 1149

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, January 17, 2002. Upon Adjournment, Senate Lounge.  
For the purpose of electing a committee chairperson and vice-chairperson.

**JUDICIARY**

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 5.  
To be considered - HB 1037, HB 1074, HB 1188, HB 1271

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, January 22, 2002, 3:00 p.m. Hearing Room 7.  
Executive Session may follow.  
To be considered - HB 1045, HB 1065, HB 1070, HB 1085, HB 1147, HB 1148, HB 1185

**HOUSE CALENDAR**

SIXTH DAY, THURSDAY, JANUARY 17, 2002

**HOUSE BILLS FOR SECOND READING**

HB 1473 through HB 1504

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTH DAY, THURSDAY, JANUARY 17, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Heavenly Father, we bow before You in thanksgiving for the gifts that are ours. Help these Your servants, the men and women of the House, and their staff, to make good use of the gifts that You give.

And we ask You to keep Your still, small voice within us. Do not let us give up on the things that matter. Give to these who lead our state the ability to sort out the true from the false.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as corrected by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt



Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Hohulin	Hunter	Lograsso
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PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Champion	Dempsey	Dolan	Hollingsworth
Levin	McKenna	Merideth	Nordwald	Surface

VACANCIES: 003

## **RESOLUTION**

Representatives Boykins, Wagner, Wright, Luetkemeyer, Cunningham, Behnen, Liese, Riback Wilson (25) and Harding offered House Resolution No. 51.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 46	-	Representative Fraser
House Resolution No. 47	-	Representative Ross
House Resolution No. 48	-	Representative Treadway
House Resolution No. 49	-	Representative Smith
House Resolution No. 50	-	Representative Harding
House Resolution No. 52	-	Representative Richardson
House Resolution No. 53	-	Representative Vogel

## **SECOND READING OF HOUSE BILLS**

**HB 1473** through **HB 1504** were read the second time.

## **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 3** - Correctional and State Institutions  
**HCR 4** - Miscellaneous Bills & Resolutions  
**HCR 5** - Miscellaneous Bills & Resolutions  
**HCR 6** - Miscellaneous Bills & Resolutions  
**HCR 7** - Miscellaneous Bills & Resolutions

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 31** - Transportation
- HJR 32** - Education-Elementary and Secondary
- HJR 33** - Miscellaneous Bills & Resolutions
- HJR 34** - Miscellaneous Bills & Resolutions
- HJR 35** - Miscellaneous Bills & Resolutions

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 1161** - Criminal Law
- HB 1198** - Children, Families and Health
- HB 1203** - Transportation
- HB 1204** - Motor Vehicle and Traffic Regulations
- HB 1205** - Motor Vehicle and Traffic Regulations
- HB 1207** - Local Government and Related Matters
- HB 1208** - Children, Families and Health
- HB 1209** - Municipal Corporations
- HB 1211** - Criminal Law
- HB 1213** - Local Government and Related Matters
- HB 1214** - Motor Vehicle and Traffic Regulations
- HB 1215** - Insurance
- HB 1216** - Children, Families and Health
- HB 1217** - Children, Families and Health
- HB 1218** - Education-Elementary and Secondary
- HB 1219** - Insurance
- HB 1223** - Retirement
- HB 1225** - Criminal Law
- HB 1227** - Criminal Law
- HB 1231** - Children, Families and Health
- HB 1233** - Tourism, Recreation and Cultural Affairs
- HB 1234** - Local Government and Related Matters
- HB 1237** - Ways and Means
- HB 1239** - Social Services, Medicaid and the Elderly
- HB 1240** - Agriculture
- HB 1242** - Motor Vehicle and Traffic Regulations
- HB 1243** - Civil and Administrative Law
- HB 1244** - Judiciary
- HB 1245** - Criminal Law
- HB 1246** - Education-Elementary and Secondary
- HB 1247** - Insurance

**HB 1248** - Judiciary  
**HB 1249** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1250** - Judiciary  
**HB 1251** - Ways and Means  
**HB 1254** - Banks and Financial Institutions  
**HB 1255** - Professional Registration and Licensing  
**HB 1256** - Criminal Law  
**HB 1257** - Civil and Administrative Law  
**HB 1258** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1261** - Local Government and Related Matters  
**HB 1263** - Children, Families and Health  
**HB 1264** - Judiciary  
**HB 1265** - Motor Vehicle and Traffic Regulations  
**HB 1266** - Education-Elementary and Secondary  
**HB 1267** - Education-Elementary and Secondary  
**HB 1270** - Transportation  
**HB 1272** - Motor Vehicle and Traffic Regulations  
**HB 1273** - Workers Compensation and Employment Security  
**HB 1274** - Workers Compensation and Employment Security  
**HB 1275** - Workers Compensation and Employment Security  
**HB 1276** - Workers Compensation and Employment Security  
**HB 1277** - Workers Compensation and Employment Security  
**HB 1279** - Civil and Administrative Law  
**HB 1280** - Workers Compensation and Employment Security  
**HB 1282** - Judiciary  
**HB 1286** - Local Government and Related Matters  
**HB 1287** - Education-Elementary and Secondary  
**HB 1288** - Municipal Corporations  
**HB 1289** - Insurance  
**HB 1290** - Correctional and State Institutions  
**HB 1292** - Correctional and State Institutions  
**HB 1293** - Insurance  
**HB 1294** - Critical Issues, Consumer Protection and Housing  
**HB 1295** - Professional Registration and Licensing  
**HB 1297** - Correctional and State Institutions  
**HB 1298** - Criminal Law  
**HB 1299** - Criminal Law  
**HB 1423** - Miscellaneous Bills & Resolutions  
**HB 1440** - Critical Issues, Consumer Protection and Housing  
**HB 1443** - Children, Families and Health  
**HB 1461** - Elections  
**HB 1498** - Criminal Law

## **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the first time and copies ordered printed:

**HCR 8**, introduced by Representative Myers, to designate "Menfro soil" as the official state soil of Missouri.

**HCR 9**, introduced by Representative Gratz, to urge Congress to redesign the ambulance fee schedule for Medicare reimbursement to take into consideration current actual cost data and support of advanced life support emergency medical services.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1505**, introduced by Representative Treadway, relating to real estate licenses.

**HB 1506**, introduced by Representatives Merideth, Kelly (27) and Gaskill, relating to aviation improvement.

**HB 1507**, introduced by Representative Koller, relating to motor vehicles.

**HB 1508**, introduced by Representative Koller, relating to highway beautification.

**HB 1509**, introduced by Representatives Rizzo and Curls, relating to police retirement systems.

**HB 1510**, introduced by Representative Rizzo, relating to police employees' retirement systems.

**HB 1511**, introduced by Representatives Fares, Green (73), Ostmann, Villa, Scheve, Murphy, Williams, Portwood, Bearden, Dolan, Hilgemann and Moore, et al, relating to the taxation of property.

**HB 1512**, introduced by Representatives Johnson (61), Franklin, Shelton, Gambaro, Boykins, Hilgemann, Daus, Walton and Carnahan, et al, relating to national teacher certification incentives.

**HB 1513**, introduced by Representative Burton, relating to disincorporation of road districts.

**HB 1514**, introduced by Representative Burton, relating to collection of personal property taxes.

**HB 1515**, introduced by Representative Burton, relating to the awarding of honorary high school diplomas to certain civilian prisoners of war and veterans.

**HB 1516**, introduced by Representatives Hosmer and Kreider, relating to noncompetition agreements.

**HB 1517**, introduced by Representative Treadway, relating to public accountants.

**HB 1518**, introduced by Representative Luetkenhaus, relating to life insurance company investments.

**HB 1519**, introduced by Representatives Boucher, Kreider and Hosmer, relating to the designation of patriots day.

**HB 1520**, introduced by Representatives Reid, Holt, O'Connor, Bowman, Merideth, Hosmer, Byrd, Levin, Boucher, Hanaway, Moore, Dempsey, Reinhart, Jetton, Mayer, Bearden, Barnett, Miller, Richardson, Phillips, Hendrickson, Champion, Wright, Hartzler, Shoemaker (8), Rector, Luetkemeyer, Secrest, Cunningham, Crowell, Long, Murphy, Portwood, Cooper, Bartelsmeyer, Ostmann, Gambaro, Shoemyer (9), Froelker, Davis, Hampton, Selby, Ransdall, George, Haywood, Ross, St. Onge and Berkstresser, relating to a joint committee on terrorism, bioterrorism, and homeland security.

**HB 1521**, introduced by Representative Shields, relating to gambling moneys for schools.

**HB 1522**, introduced by Representatives Bearden and Luetkenhaus, relating to higher education funding.

**HB 1523**, introduced by Representatives Kelly (27), Lowe, Carnahan, Wilson (42) and Troupe, relating to crime victims' compensation.

**HB 1524**, introduced by Representative O'Toole, relating to public retirement systems.

**HB 1525**, introduced by Representatives O'Toole and Foley, relating to gaming activities.

**HB 1526**, introduced by Representative Bartle, relating to victim's rights.

**HB 1527**, introduced by Representative Graham, relating to the board of curators of the University of Missouri.

**HB 1528**, introduced by Representatives Treadway, Holand, Foley, Hegeman, Johnson (90) and Dolan, et al, relating to physician assistants.

**HB 1529**, introduced by Representative Hegeman, relating to public retirement systems.

**HB 1530**, introduced by Representative Hoppe, relating to liquor control.

**HB 1531**, introduced by Representative Hoppe, relating to the provision of emergency services.

**HB 1532**, introduced by Representative Hoppe, relating to consumption of intoxicating beverage as proximate cause of injury in tort actions.

**HB 1533**, introduced by Representatives Portwood, Monaco, Naeger, Bartle, Scheve, Rizzo, Kelly (27), Enz, Cunningham and Reinhart, et al, relating to health insurance coverage for chiropractic care.

**HB 1534**, introduced by Representative Clayton, relating to Clutch's law.

**HB 1535**, introduced by Representatives Clayton and Shoemyer (9), relating to the designation of highway 15 as the flower road.

**HB 1536**, introduced by Representative Clayton, relating to sexual offenses.

**HB 1537**, introduced by Representative Clayton, relating to administration of small estates.

**HB 1538**, introduced by Representative Clayton, relating to the retirement system for prosecuting and circuit attorneys.

**HB 1539**, introduced by Representative Clayton, relating to drivers' licenses.

**HB 1540**, introduced by Representative Bartle, relating to the telemarketing no-call list.

**HB 1541**, introduced by Representative Bray, relating to tax exemptions.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Berkowitz is no longer Vice-chair of the Social Services, Medicaid and the Elderly Committee.

Representative Daus has been appointed Vice-chair of the Social Services, Medicaid and the Elderly Committee.

### **WITHDRAWAL OF HOUSE BILLS**

January 16, 2002

Mr. Ted Wedel, Chief Clerk  
House of Representatives  
Jefferson City, MO 65101

Dear Ted:

I respectfully request that **HB 1186** be withdrawn. Thank you for your attention to this matter.

Cordially,

/s/ W. Craig Hosmer  
State Representative  
District 138

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DATE:            January 17, 2002  
TO:              Speaker Kreider  
FROM:           Representative Gary Burton  
SUBJECT:       Withdraw HB 1405

Please withdraw **House Bill 1405**. An updated version of this bill has since been filed. Thank you for your assistance.

The following member's presence was noted: Nordwald.

### **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, January 21, 2002.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Fifth Day, Wednesday, January 16, 2002, page 74, roll call, by showing Representative Myers voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **ADMINISTRATION AND ACCOUNTS**

Tuesday, January 22, 2002, 1:00 p.m. Hearing Room 1.

#### **AGRICULTURE**

Wednesday, January 23, 2002, 3:00 p.m. Hearing Room 7.  
Public testimony.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, January 22, 2002, 2:00 p.m. Hearing Room 1.  
Presentation on foundation formula funding.

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 7.  
Office of Administration, Public Debt, Public Defender and Judiciary.  
CANCELLED.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Monday, January 28, 2002, 12:30 p.m. Hearing Room 5.

Department of Agriculture, Department of Conservation  
Hearing on Governor's recommendations.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, January 29, 2002, upon adjournment, Hearing Room 5.

Department of Economic Development, Department of Labor & Industrial Relations  
Governor's recommendations.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 30, 2002, upon adjournment, Hearing Room 5.

Department of Natural Resources, Department of Insurance  
Governor's recommendations.

**APPROPRIATIONS - SOCIAL SERVICES**

Tuesday, January 22, 2002. Hearing Room 3 upon adjournment.

Department of Social Services  
Update; projections on Medicaid and federal mandates.

**BUDGET**

Monday, January 21, 2002, 1:00 p.m. Hearing Room 3.

Presentation and discussion of private sector reports on Missouri state expenditures.

**BUDGET**

Wednesday, January 23, 2002, 1:00 p.m. Hearing Room 3.

Presentation by Commission reporting on Missouri's budgetary process.

**COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, January 22, 2002, 3:00 p.m. House Lounge.

To be considered - HB 1143, HB 1144

**CONSERVATION, STATE PARKS AND MINING**

Monday, January 28, 2002, 5:30 p.m. Runge Conservation Nature Center.

To be discussed: Quail; Draft DNR proposed regulations pertaining to sand and gravel mining.

**EDUCATION - ELEMENTARY AND SECONDARY**

Monday, January 21, 2002, 3:30 p.m. Hearing Room 5.

To be considered - Executive Session - HB 1062, Executive Session - HB 1063,  
Executive Session - HB 1338

**ELECTIONS**

Tuesday, January 22, 2002, 7:30 p.m. Hearing Room 5.

To be considered - HB 1030, HB 1461



**JUDICIARY**

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 5.  
To be considered - HB 1037, HB 1074, HB 1188, HB 1271

**LABOR**

Tuesday, January 22, 2002, 8:00 p.m. Hearing Room 3.  
To be considered - HB 1054, HB 1069

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, January 22, 2002, 3:00 p.m. Hearing Room 7.  
Executive Session may follow.  
To be considered - HB 1045, HB 1065, HB 1070, HB 1085, HB 1147, HB 1148, HB 1185

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, January 22, 2002, 8:45 a.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1051, HB 1158, HB 1399

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, January 22, 2002, 5:00 p.m. Senate Lounge.  
Joint meeting with House and Senate Veterans Committee members.

**HOUSE CALENDAR**

SEVENTH DAY, MONDAY, JANUARY 21, 2002

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 8 and HCR 9

**HOUSE BILLS FOR SECOND READING**

HB 1505 through HB 1541

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SEVENTH DAY, MONDAY, JANUARY 21, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Deep within the source of our common human heritage, God, You have somehow planted this idea of the inherent dignity of every human person. Your son, Dr. Martin Luther King, Jr., lived and died for the truth of that noble idea, turning it into an ideal. Our state's constitution highlights that dignity.

Today, God, be with and re-inspire the men and women in this great Chamber with that goal's fire as they begin this week of leadership. In Martin's memory, Almighty Father, we begin this session. Thank You for giving him to our nation and to our world. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixth day was approved as corrected by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton

Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 004

Hohulin	Hunter	Lograsso	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 014

Bartelsmeyer	Bland	Bowman	Brooks	Clayton
Froelker	Gaskill	Hickey	Hoppe	Hosmer
Kelly 36	Levin	Reynolds	Thompson	

VACANCIES: 003

## RESOLUTION

Representative Marsh offered House Resolution No. 67.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 54	-	Representative Vogel
House Resolution No. 55	-	Representative Luetkemeyer
House Resolution No. 56	-	Representative O'Connor
House Resolution No. 57	-	Representative Crump
House Resolution No. 58	-	Representative Townley, et al
House Resolution No. 59	-	Representative Hohulin
House Resolution No. 60		
through		
House Resolution No. 64	-	Representative Kreider
House Resolution No. 65	-	Representative Relford
House Resolution No. 66	-	Representative Bray
House Resolution No. 68	-	Representative Treadway
House Resolution No. 69		
through		
House Resolution No. 73	-	Representative Hunter
House Resolution No. 74	-	Representative Ross
House Resolution No. 75	-	Representative Vogel
House Resolution No. 76	-	Representative Moore
House Resolution No. 77	-	Representative Holt

### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 8** and **HCR 9** were read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 1505** through **HB 1541** were read the second time.

### **ESCORT COMMITTEES**

The Speaker appointed the following Committee to escort Lieutenant Governor Joe Maxwell and members of the Senate to the dais in Joint Session at 10:30 a.m., Wednesday, January 23, 2002: Representatives Bland, Bowman, Lawson, Scheve, Villa, Williams, Crawford, Holand, Purgason and Berkstresser.

The Speaker appointed the following Committee to escort His Excellency Governor Bob Holden to the dais in Joint Session at 10:30 a.m., Wednesday, January 23, 2002, to deliver the State of the State message: Representatives Boykins, Green (73), Green (15), Merideth, Ransdall, Wilson (42), Townley, Dolan, Miller and Reinhart.

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 1327** - Ways and Means

### **COMMITTEE REPORT**

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1338**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1542**, introduced by Representative Liese, relating to a death penalty commission.

**HB 1543**, introduced by Representative Shelton, relating to collection of motor vehicle sales and use taxes.

**HB 1544**, introduced by Representative Hoppe, relating to the provision of emergency services.

**HB 1545**, introduced by Representative Rizzo, relating to transportation development districts.

**HB 1546**, introduced by Representatives Crowell, Crawford, Portwood and Mayer, et al, relating to workers' compensation.

**HB 1547**, introduced by Representative Barry, relating to concealed firearms.

**HB 1548**, introduced by Representative Barry, relating to the newborn hearing screening program.

**HB 1549**, introduced by Representative Lawson, relating to public water supply districts.

**HB 1550**, introduced by Representative Surface, relating to an Elks Lodge license plate.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 727 & 703**, entitled:

An act to repeal section 307.173, RSMo, and to enact in lieu thereof one new section relating to tinted windows, with a penalty provision and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Robirds is no longer a member of the Agriculture Committee.

Representative Boykins is no longer a member of the Appropriations-Health and Mental Health Committee.

Representative Dempsey is no longer a member of the Conservation, State Parks and Mining Committee.

Representative Naeger is no longer a member of the Critical Issues Committee.

Representative Levin is no longer a member of the Education-Elementary and Secondary Committee.

Representative Miller is no longer a member of the Education-Elementary and Secondary Committee.

Representative Quinn has been appointed a member of the Agriculture Committee, Education-Elementary and Secondary Committee and the Conservation, State Parks and Mining Committee.

Representative Harlan has been appointed a member of the Appropriations-Health and Mental Health Committee.

Representative Bland has been appointed a member of the Appropriations-Health and Mental Health Committee.

Representative Boykins has been appointed a member of the Appropriations-Natural and Economic Resources Committee.

Representative Shoemaker (8) has been appointed a member of the Education-Elementary and Secondary Committee and the Critical Issues Committee.

### WITHDRAWAL OF HOUSE BILLS

January 17, 2002

The Honorable Jim Kreider  
Speaker of the House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Speaker:

Please rescind my **HB 1046**, Prevention of Defilement of the U.S. Flag. I have filed a modified version against desecration of the flag which will, hopefully, not alarm 1<sup>st</sup> Amendment opponents of HB 1046.

Respectfully,

/s/ Sam Gaskill

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January 21, 2002

The Honorable Jim Kreider  
Speaker, House of Representatives  
Capitol Building  
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill No. 1531** be withdrawn.

Thank you for your assistance.

Sincerely,

/s/ Thomas J. Hoppe  
State Representative  
46<sup>th</sup> Legislative District

The following members' presence was noted: Hickey and Gaskill.

## **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, January 22, 2002.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Sixth Day, Thursday, January 17, 2002, pages 80 and 81, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **ADMINISTRATION AND ACCOUNTS**

Tuesday, January 22, 2002, 1:00 p.m. Hearing Room 1.

### **AGRICULTURE**

Wednesday, January 23, 2002, 3:00 p.m. Hearing Room 7.  
Public testimony.

### **APPROPRIATIONS - EDUCATION**

Tuesday, January 22, 2002, 2:00 p.m. Hearing Room 1.  
Presentation on foundation formula funding.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 7.  
Office of Administration, Public Debt, Public Defender and Judiciary.  
CANCELLED.

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Monday, January 28, 2002, 12:30 p.m. Hearing Room 5.  
Department of Agriculture, Department of Conservation  
Hearing on Governor's recommendations.

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, January 29, 2002. Upon adjournment, Hearing Room 5.  
Department of Economic Development, Department of Labor & Industrial Relations  
Governor's recommendations.

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 30, 2002. Upon adjournment, Hearing Room 5.  
Department of Natural Resources, Department of Insurance  
Governor's recommendations.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, January 22, 2002. Hearing Room 3 upon adjournment.

Department of Social Services

Update, projections on Medicaid and federal mandates.

BUDGET

Wednesday, January 23, 2002, 1:00 p.m. Hearing Room 3.

Presentation by Commission reporting on Missouri's budgetary process.

CANCELLED.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 23, 2002. Hearing Room 1 upon morning adjournment.

To be considered - HB 1047, HB 1072, HB 1127, HB 1151, HB 1154, HB 1184, HB 1187

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, January 22, 2002, 3:00 p.m. House Lounge.

To be considered - HB 1143, HB 1144

CONSERVATION, STATE PARKS AND MINING

Monday, January 28, 2002, 5:30 p.m. Runge Conservation Nature Center.

To be discussed: Quail; Draft DNR proposed regulations pertaining to sand and gravel mining.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 22, 2002, 3:00 p.m. Hearing Room 3.

To be considered - HB 1084, HB 1126, HB 1191, HJR 27

ELECTIONS

Tuesday, January 22, 2002, 7:30 p.m. Hearing Room 5.

To be considered - HB 1030, HB 1461

JUDICIARY

Tuesday, January 22, 2002, 12:00 p.m. Hearing Room 5.

To be considered - HB 1037, HB 1074, HB 1188, HB 1271

LABOR

Tuesday, January 22, 2002, 8:00 p.m. Hearing Room 3.

To be considered - HB 1054, HB 1069

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 22, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1045, HB 1065, HB 1070, HB 1085, HB 1147, HB 1148, HB 1185



**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, January 22, 2002, 8:45 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1051, HB 1158, HB 1399

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, January 22, 2002, 5:00 p.m. Senate Lounge.

Joint meeting with House and Senate Veterans Committee members.

**UTILITIES REGULATION**

Wednesday, January 23, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 1142

**WAYS AND MEANS**

Tuesday, January 22, 2002, 3:00 p.m. Hearing Room 2.

To be considered - HB 1150, HB 1202, HB 1237, HB 1251, HB 1327

**HOUSE CALENDAR**

**EIGHTH DAY, TUESDAY, JANUARY 22, 2002**

**HOUSE BILLS FOR SECOND READING**

HB 1542 through HB 1550

**HOUSE BILL FOR PERFECTION**

HB 1338 - Relford

**SENATE BILL FOR SECOND READING**

SCS SB 727 & 703

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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EIGHTH DAY, TUESDAY, JANUARY 22, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Budget, the downturn in the economy, fallout from the term limits legislation, redistricting, deterioration in the transportation system infrastructure – God, these and a multitude of other concerns stir up the legislative soup as our representatives gather again today. Long, long ago You began this whole Universe by Your creative command.

You continue to hold all things together, but You invite our co-creative courage and decisions. Let innovative and resourceful juices flow even more into these men and women as they continue to address Missouri's problems. We count on Your almighty and compassionate hand. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as honorary pages for the day, to serve without compensation: Brittany Sanders, Liz Tarr, Ben Tarr, Cassie Arrowood, Julie Shuck, Casey Smith, Shane Smith, Colby Thompson, Rachel Richardson, Jonathon Bradney, Nicole Widaman, Sara Foster, Adam Bunton, Joseph Costley, Kylie Sheat, Rebecca Davis, Molly Bunton and Elizabeth Godfrey.

The Journal of the seventh day was approved as printed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller

Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Hohulin                      Hunter                      Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 005

Bowman                      Byrd                      Hosmer                      Kelly 36                      Levin

VACANCIES: 003

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 78 - Representatives Hegeman and Shields  
House Resolution No. 79  
and  
House Resolution No. 80 - Representative Kreider  
House Resolution No. 81 - Representative Williams  
House Resolution No. 82 - Representatives Campbell and Van Zandt

## SECOND READING OF HOUSE BILLS

**HB 1542** through **HB 1550** were read the second time.

## SECOND READING OF SENATE BILL

**SCS SBs 727 & 703** was read the second time.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1429** - Agriculture  
**HB 1503** - Banks and Financial Institutions

## **COMMITTEE REPORT**

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 1399**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 38**, introduced by Representatives Linton and Hanaway, relating to property assessment and taxation.

**HJR 39**, introduced by Representatives Linton and Lograsso, relating to the state board of education.

**HJR 40**, introduced by Representative O'Toole, relating to term limits.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1551**, introduced by Representative Linton, relating to the power of local school boards to allow the posting of certain historical documents regardless of religious content.

**HB 1552**, introduced by Representatives Linton and Holand, relating to informed consent for mental health treatment.

**HB 1553**, introduced by Representative Linton, relating to required consent for student psychological testing in certain cases.

**HB 1554**, introduced by Representative Linton, relating to promotion of children's reading skills.

**HB 1555**, introduced by Representative Linton, relating to certain public school records.

**HB 1556**, introduced by Representative Rizzo, relating to investment funds service corporations.

**HB 1557**, introduced by Representative Merideth, relating to transfers from the incidental fund.

**HB 1558**, introduced by Representatives Holand and Davis, relating to excursion gambling boat boarding fees for education.

**HB 1559**, introduced by Representatives Holand and Hampton, relating to the conservation commission.

**HB 1560**, introduced by Representative Hegeman, relating to public retirement systems.

**HB 1561**, introduced by Representatives Hilgemann, Wilson (42), Carnahan, Campbell, Bray, Lowe, Riback Wilson (25), Daus, Boykins, Villa, Fraser and Sanders Brooks, et al, relating to human rights.

**HB 1562**, introduced by Representative Liese, relating to industrial development.

**HB 1563**, introduced by Representative Green (73), relating to boards of aldermen in cities of the fourth classification.

**HB 1564**, introduced by Representative Bartle, relating to assessed value of residential property.

**HB 1565**, introduced by Representatives Williams, Relford, Whorton, Cooper, Lowe, Kelly (36) and Boucher, relating to jails and jailers.

**HB 1566**, introduced by Representatives Copenhaver, Haywood, Fraser and Hagan-Harrell, et al, relating to the standards and practices of educational personnel of the public schools.

**HB 1567**, introduced by Representative Luetkenhaus, relating to investments by insurance companies.

**HB 1568**, introduced by Representative Luetkenhaus, relating to investments by insurance companies.

**HB 1569**, introduced by Representatives Davis and Marble, relating to waste tires.

**HB 1570**, introduced by Representatives Koller, Kreider and Berkowitz, relating to transportation.

**HB 1571**, introduced by Representative Skaggs, relating to public retirement systems.

**HB 1572**, introduced by Representative Skaggs, relating to public retirement systems.

**HB 1573**, introduced by Representatives Mays (50), Burton, Campbell, Willoughby, Rector and Cooper, relating to transfers of electrical corporations.

**HB 1574**, introduced by Representatives Cunningham, Jetton, Quinn, Bearden, Secrest, Luetkenhaus and Myers, et al, relating to daily recitation of the Pledge of Allegiance to the flag of the United States of America.

**HB 1575**, introduced by Representatives Treadway, Barry, Reid, Fraser, Liese, George, O'Toole, Foley and Levin, relating to tax relief for the elderly.

**HB 1576**, introduced by Representatives Treadway, Barry, Reid, Fraser, Liese, George, O'Toole Foley and Levin, relating to real property assessments.

**HB 1577**, introduced by Representatives Campbell, Lawson, Kelly (27), Kreider, Wilson (42), Jolly, Harding, Lowe, Curls, Franklin and Sanders Brooks, et al, relating to the crime of tampering with pharmaceuticals.

**HB 1578**, introduced by Representatives Hosmer, Riback Wilson (25), Farnen, Carnahan, Graham and Monaco, et al, relating to jury service.

**HB 1579**, introduced by Representative Kelly (27), relating to the sexual offender registry.

**HB 1580**, introduced by Representative Barnett, relating to county boards of equalization.

**HB 1581**, introduced by Representative Clayton, relating to the state highway patrol.

**HB 1582**, introduced by Representative Crump, relating to sales tax exemption certificates.

**HB 1583**, introduced by Representative Monaco, relating to special license plates.

**HB 1584**, introduced by Representatives Kreider and Koller, relating to funding for certain public infrastructure.

## **WITHDRAWAL OF HOUSE BILLS**

January 15, 2002

Honorable Jim Kreider  
Speaker of the House  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Speaker:

I hereby respectfully request to withdraw **House Bill 1135**. Your attention to this matter is appreciated.

Sincerely,

/s/ Representative Dennis Bonner  
District 51

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January 21, 2002

The Honorable Jim Kreider  
Speaker of the House  
Room 308, State Capitol  
Jefferson City, MO 65101

Dear Speaker Kreider:

I respectfully request that **House Bill 1185** be withdrawn. Thank you for your attention to this matter.

Sincerely,

/s/ Cindy Ostmann

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DATE:             January 21, 2002  
TO:                Speaker Kreider  
FROM:             Representative Gary Burton  
SUBJECT:          Withdraw HB 1513

Please withdraw **House Bill 1513** pertaining to disincorporation of a road district in Jasper County. A new version of this bill will be drafted. Thank you for your assistance.

### **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, January 23, 2002.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, January 23, 2002, 3:00 p.m. Hearing Room 7.  
Public testimony.

#### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Wednesday, January 23, 2002, 11:00 a.m. Hearing Room 6.  
Public testimony regarding appropriations for the Department of Mental Health.

#### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Thursday, January 24, 2002, 11:00 a.m. Hearing Room 6.  
Public testimony regarding appropriations for the Department of Mental Health.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Monday, January 28, 2002, 12:30 p.m. Hearing Room 5.  
Department of Agriculture, Department of Conservation  
Hearing on Governor's recommendations.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, January 29, 2002. Upon adjournment, Hearing Room 5.  
Department of Economic Development, Department of Labor & Industrial Relations  
Governor's recommendations.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 30, 2002. Upon adjournment, Hearing Room 5.  
Department of Natural Resources, Department of Insurance  
Governor's recommendations.

**BUDGET**

Wednesday, January 23, 2002, 1:00 p.m. Hearing Room 3.  
Presentation by Commission reporting on Missouri's budgetary process.  
CANCELLED.

**CHILDREN, FAMILIES, AND HEALTH**

Thursday, January 24, 2002, 8:00 am. Hearing Room 5.  
Executive Session will follow  
To be considered - HB 1052, HB 1263, HB 1443

**CIVIL AND ADMINISTRATIVE LAW**

Wednesday, January 23, 2002. Hearing Room 1 upon morning adjournment.  
To be considered - HB 1047, HB 1072, HB 1127, HB 1151, HB 1154, HB 1184, HB 1187

**CONSERVATION, STATE PARKS AND MINING**

Monday, January 28, 2002, 5:30 p.m. Runge Conservation Nature Center.  
To be discussed: Quail; Draft DNR proposed regulations pertaining to sand and gravel mining.

**ENVIRONMENT AND ENERGY**

Thursday, January 24, 2002, 8:30 a.m. Hearing Room 7.  
To be considered - HB 1149

**JUDICIARY**

Wednesday, January 23, 2002, 2:00 p.m. Hearing Room 5.  
To be considered - Executive Session - HB 1037, Executive Session - HB 1074,  
Executive Session - HB 1188, Executive Session - HB 1271

**UTILITIES REGULATION**

Wednesday, January 23, 2002, 8:30 a.m. Hearing Room 7.  
To be considered - HB 1142



**HOUSE CALENDAR**

NINTH DAY, WEDNESDAY, JANUARY 23, 2002

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 38 through HJR 40

**HOUSE BILLS FOR SECOND READING**

HB 1551 through HB 1584

**HOUSE BILLS FOR PERFECTION**

- 1     HB 1338 - Relford
- 2     HB 1399 - Ransdall

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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NINTH DAY, WEDNESDAY, JANUARY 23, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Lord of Life, the day is overcast, but in Your presence there is only light. Grant Your Holy Light to these men and women of our legislature, our government and members of the court chosen to lead our state. Help them discern between faith and fatalism, between activities and accomplishment, between the needs of the many and the wishes of the few.

These leaders can stand criticism, they can stand pressure, but they can not stand and lead us, without a sense of the just, the prudent, the merciful. Grant to them illumination. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Zachary Nordyke, Hope Nordyke, Mitchell Bell, Phillip Bell, Emily Wheeler, Rachael Simmons, Brooks Simmons and Andrew White.

The Journal of the eighth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 83	-	Representative Kelly (144)
House Resolution No. 84	-	Representative Hosmer
House Resolution No. 85	-	Representative King
House Resolution No. 86	-	Representative Relford
House Resolution No. 87		
through		
House Resolution No. 92	-	Representative Dempsey
House Resolution No. 93	-	Representative Dolan
House Resolution No. 94	-	Representative Luetkenhaus
House Resolution No. 95	-	Representative Smith
House Resolution No. 96	-	Representative Shelton
House Resolution No. 97	-	Representative Bearden
House Resolution No. 98	-	Representative Green (15)
House Resolution No. 99	-	Representative Reid
House Resolution No. 100	-	Representative Quinn

House Resolution No. 101 - Representative Cunningham  
 House Resolution No. 102 - Representative Reynolds  
 House Resolution No. 103 - Representative Wilson (42)

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 38** through **HJR 40** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1551** through **HB 1584** were read the second time.

The Speaker appointed Representative Quincy Troupe a member of the Governor's escort committee.

## MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following escort committee to act with a like committee from the House pursuant to **HCR 2**: Senators Bentley, Bland, Childers, Gross, Jacob, Johnson, Kennedy, Klindt, Stoll, Yeckel.

Representative Foley moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway

Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Cooper	Henderson	Hohulin	Hunter
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PRESENT: 000

ABSENT WITH LEAVE: 007

Crawford	Crump	Dolan	Lograsso	Long
Purgason	Williams			

VACANCIES: 003

## JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted, and Lieutenant Governor Maxwell presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 033

Bentley	Bland	Caskey	Cauthorn	Childers
DePasco	Dougherty	Foster	Gibbons	Goode
Gross	House	Jacob	Johnson	Kennedy
Kenney	Kinder	Klarich	Klindt	Loudon
Mathewson	Quick	Rohrbach	Russell	Schneider
Sims	Singleton	Staples	Steelman	Stoll
Westfall	Wiggins	Yeckel		

NOES: 000

ABSENT: 000

VACANCIES: 001

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton

Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Levin	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 002

Lograsso Reynolds

ABSENT WITH LEAVE: 003

Crump Hunter Reinhart

VACANCIES: 003

The Doorkeeper announced the approach of the Honorable Bob Holden, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais.

The following message was delivered by Governor Holden to the assembly in Joint Session.

**STATE OF THE STATE ADDRESS  
BY  
GOVERNOR BOB HOLDEN**

**January 23, 2002**

**“MEETING OUR CHALLENGES TOGETHER”**

Mr. President, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Mr. Chief Justice, members of the Missouri State Supreme Court, members of the 91<sup>st</sup> General Assembly, and citizens of the State of Missouri:

The state of our state today, like the state of our nation, is one of challenge.

We are challenged from without by a terrorist threat.

We are challenged from within by a recession that grips not only Missouri, but all of America.

We are challenged to live within our means while we continue to provide for those who most need our help and while we continue to build Missouri's future.

It's tough, but we are going to get it done.

We are Missourians, and we know how to work together to meet our challenges.

That's the kind of thing you learn about early in life when you grow up like I did in a small Ozark community.

A community where everyone was just trying to get by -- to keep a roof overhead, food on the table, clothes on our backs, and the bills paid.

A big Saturday night at our house was popping popcorn, splitting a couple of Cokes among six people, and going to a drive-in movie.

We didn't have a lot, and what we had wasn't fancy.

But we were among the most fortunate kids in our community because we had a loving and supportive family.

Raising a family in Birch Tree, Missouri, in the 1950s and 1960s was a real challenge for many.

But my parents never saw it that way.

They saw it as an opportunity -- an opportunity to raise their children in a caring and safe environment.

An opportunity to raise us in a place where with a little struggle and a little sacrifice you could give your children a better tomorrow.

A place where as a family and a community you could all stick together and get the job done.

I've thought about those days a lot over the last few months as our Missouri economy has slid from record growth to recession.

I've thought about the examples the people of Birch Tree set for us while I was growing up -- each generation doing its part so the next generation would have greater opportunities.

There is no better example of this than one set recently by an outstanding Missourian.

She has joined us here today, and I want you to meet her.

She had some unusual aspirations while she was growing up in southeast Missouri.

While other young women dreamed of becoming doctors or business executives or teachers or shopkeepers, she dreamed of becoming something girls couldn't be.

She wanted to be an astronaut.

She never missed the coverage of a space launch -- often watching with her father who worked as a machinist at a factory.

And she didn't dwell on insurmountable barriers standing in her way -- for example, the fact that NASA wouldn't even consider women applicants for astronaut duty.

In spite of this, she knew if she was ever to realize her dream, she would need to get the best education possible.

And she got that education right here in our Missouri public schools.

She graduated from high school in Jackson, Missouri, and received her undergraduate degree at Southeast Missouri State University.

Then she did graduate work at the University of Missouri-Columbia where she received a master's degree in science and a doctorate in physics.

In her spare time, she learned to fly.

In 1978, when NASA began taking women applicants for the astronaut corps, Linda knew that instead of having no chance to become an astronaut, she would now have one chance in a million.

She was one of only a hundred applicants to be interviewed out of the thousands that applied.

On her first and second go-around, she was turned down.

And after two rejections, I am sure a lot of us would think there are other ways to make a living.

But our honored guest doesn't think that way.

She was persistent, and in the newspapers and on television not too long ago, there were pictures of her at work.

In outer space.

On the International Space Station.

As a member of the crew of Space Shuttle Endeavour.

This young woman who once walked the hills and fields of rural Missouri, dreaming great dreams and gazing up at the stars, gazed down on Missouri as she walked in space.

Today she walks with us.

She is here with her husband, a former astronaut himself who hails from our neighboring state of Illinois.

Ladies and gentlemen, please welcome home our Missouri astronaut Linda Godwin and her husband Steven Nagel.

Linda and Steven, would you please stand.

Linda Godwin's accomplishments are a shining example of how all children growing up in Missouri can rise to meet their personal challenges if they work hard, and if we -- their parents and teachers -- provide the opportunity and support for a good education.

The lessons we must take from Linda Godwin are as important as they are obvious.

In times of challenge, we must keep sight of our goals.

We must stick together.

We must get the job done.

The economic outlook confronting the state of Missouri in fiscal year 2003 presents a major challenge.

We were experiencing record prosperity through the late 1990s.

But now we are in the midst of a national recession -- made even more severe by the events of September 11th.

As Governor, I have a constitutional responsibility to keep the state budget in balance, and I will do so.

As all of you sitting in this chamber know, the state's budget is not all that different from the budget every Missouri family has at home.

Once you take out the money you have to spend on basics like food, rent, and outstanding bills, the amount you actually have control over is only a small fraction of what you take in.

So in formulating the state's spending plan for this year, we are going to have to do what all Missouri families do when they gather around the kitchen table to look at their budgets.

We will make some tough choices that will limit state spending to the amount of our projected revenue.

And we will do so without an across-the-board-tax increase.

In doing this, we will be guided by four key principles.

First, we will redouble our efforts to reduce government waste and to improve the efficiency and management of the administration of state government.

We have had success in this area, but we must do more.

At a time when we must ask some Missourians to accept less in state services, we must be able to assure all that they are getting the most from every dollar we spend on running state government.

Second, in making the hard choices to reduce programs and spending, we have tried to protect services as best we could for those who need us the most -- the children, the elderly and the disabled.

Third, we will refuse to allow the challenges of the present to prevent us from building Missouri's future.

And fourth and most important, we will keep as our first priority the education of our children.

We will provide full funding with full accountability for our K-12 public schools.

We should not rest until all our schools and all our students are performing at their maximum potential.

Because I know all of you share my belief that educating our children is our top priority, I ask your help in approving important legislation to achieve these goals.

Now, let's get to some specifics.



## **THE BUDGET**

Last year I directed our state budget office to begin the most thorough review of the state budget ever conducted.

This performance-based review evaluates the results Missourians receive for their money in every program that our tax dollars fund.

Then I asked our departments to submit plans for how these programs would be changed if their funding was cut by 5, 10, and 15 percent.

This has allowed us to have the most thorough information ever compiled on Missouri state services.

And we have used this information to make the tough budget decisions that lie ahead.

The budget I am recommending today is smaller than the one you approved last year.

The amount of general revenue we have coming in is slowing down.

At the same time, costs for essential services and the population needing those services continue to grow.

Health care costs in Medicaid and for state employees are rising dramatically.

The largest increases are in the pharmacy programs as the cost of prescription drugs continues to escalate.

But if expenses and our served populations are going up and less money is coming in, then we must cut agency budgets.

As you know, we took dramatic steps to reduce state spending twice in 2001.

Altogether, we have reduced spending by \$612 million in the year since I took office.

Cuts in administrative costs have been deep -- from 15 to 30 percent in many places.

None of those were easy decisions.

And, unfortunately, all of those decisions together are not enough to keep us living within our means in the face of the deepening recession after September 11th.

The budget for fiscal year 2003 that I am proposing today is also filled with tough decisions.

Today, in order to balance the 2003 fiscal year budget, I am recommending \$480 million in core budget cuts.

These cuts demand that state government become smaller.

This new budget reduces the state work force by 688 positions.

Most of these will come from eliminating positions that are currently being held vacant.

We have agonized over this budget.

Our state budget staff and our department heads have provided many new ideas and innovative solutions to stretch our money as far as possible.

I thank them all for their efforts, which have been key to safeguarding vital public services.

Nevertheless, we remain in a position in which entire programs -- good programs -- will be eliminated.

Our state employees, who work so hard to deliver our state services, will go another year without a pay raise.

I regret that very much.

We value the work our state employees do on behalf of all Missourians, and we take actions that will affect their quality of life only as a last resort in these extremely challenging times.

And while I have made hard decisions, I am not willing to cut our budget so deeply that we leave our most vulnerable Missourians defenseless.

These are services that any just and humane society should provide to those less fortunate if at all possible -- such as psychiatric services for our mentally ill, support services for the mentally and developmentally disabled, and transportation for our seniors.

We must and will continue to meet these needs.

That is why I am calling on the General Assembly to authorize the release of \$135 million from the state's Rainy Day Fund so we do not put these Missourians at risk.

Such services are not mandated by law.

But they are mandated by our conscience.

Although our rocky economic climate demands that we make substantial cuts, we are using what resources we have to accomplish a number of very worthwhile goals.

We will deliver the Senior Prescription Drug Program we promised our seniors when we passed legislation last year during special session.

We will protect our most vulnerable children by not reducing the number of child abuse and neglect workers.

We will improve our security against terrorism throughout the state.

We will keep our commitment to our farmers by continuing to support the expansion of ethanol production in Missouri.

Because inmate population growth demands it, we will open the prison in Bonne Terre.

We must ensure that all our prisons are properly staffed to protect the security of our citizens and the safety of our employees.

We will preserve funding for our 115 local health agencies, that are the frontline in the delivery of public health services.

And we will ensure that no child will lose health insurance coverage.

I am also asking the General Assembly to give us the authorization to bond against future tobacco revenues to provide an alternative to fund critical services.

Several states have already done this.

This means we will have the ability to take some of our settlement in one lump sum if we need it, rather than having it spread out over many years.

In the year since I took office, we have made many improvements in the efficiency and management of state government, and many more improvements are in progress.

To intensify this effort, I will ask both state employees and private citizens to join task forces that I will create to improve performance in key areas of state government.

These teams will develop action plans to streamline state government in each vital area before this current fiscal year is over.

I also call on you to give our department directors more flexibility in running their departments.

They have the most complete and up-to-date information about where resources can best be used and need additional flexibility to manage through the core cuts in this budget.

We are already doing more than ever before to make state officials accountable for results.

We need to give them the tools to get the job done.

Greater flexibility will enable them to focus resources on the area of most concern at any time --whether that is expenses, equipment, or personnel.

I would also like to see the General Assembly take a more proactive approach to reviewing laws.

We need to ensure that both new legislation and existing state laws to fund programs are reviewed regularly.

Rather than allowing programs to live forever, I want these programs to “sunset” unless the legislature and the Governor decide that their value exceeds the cost to taxpayers.

## **EDUCATION**

Even in tough economic times, the key to overcoming the challenges that lie ahead of us is to give our children the good education they deserve.

That’s the one advantage no one can take away from you.

My parents believed that, and so do I.

They knew that with an excellent education, my brothers, my sister, and I would be better prepared for any obstacles that came our way and would have the opportunity for a better life.

Just as then, in today’s challenging times, we must make it possible for our children’s dreams to direct their destiny.

Linda, I was just at your school in Jackson a few weeks ago.

Who knows what other Linda Godwins are out there in our Missouri classrooms?

But they can only fulfill their dreams if we give them a world class education.

Because of Missouri’s public education, Linda Godwin was able to reach for the stars.

Lori and I want that for our boys and every boy and girl in Missouri.

We should not, and I will not, shortchange our K-12 public schools.

My top priority this year is to provide the increased funding necessary to meet our commitment to Missouri's public schools.

So I am asking you, the members of the General Assembly, to join me in supporting a legislative funding package.

This package increases revenues paid to the state by riverboats, closes administrative loopholes in our tax system, maximizes lottery revenues, and creates a new means of maximizing our revenues during this fiscal year -- tax amnesty.

But with our state straining to get the most out of every dollar, our state funding for education must be linked to increased accountability.

In August 1992, Missourians voted to require all of the net proceeds of our state lottery to go completely to education.

To assure voters that their wishes are being followed and eliminate any question about it, I will ask our State Auditor to conduct an audit of all lottery and riverboat gaming proceeds annually.

This will include a complete review of all constitutional and statutory requirements that direct where proceeds are legally mandated to go.

This audit must be completed by the last day of December of every year.

Full funding tied to full accountability means full value for our investment.

The best way we can improve our schools is by enhancing accountability standards at the schools that are not performing as well as others, and cutting red tape for those schools that are doing well.

Recently, we unveiled my unprecedented plan.

It requires underperforming schools to map out a comprehensive strategy to correct problem areas.

They must do so to receive continued state funding.

My reforms will ensure that teachers and individual schools in these districts have the professional development tools at their disposal to do the best job.

I want our underperforming schools to target at least one of a range of reforms that have demonstrated that they improve student performance.

One of the following strategies, proven to be successful, has to be implemented in these schools: reduction of class size in problem areas to allow teachers more time for individual student attention;

- preschool and full-day kindergarten to enable young students to get off to a good start;
- the hiring of teacher specialists to provide additional attention to those subject areas where improvement is necessary to address poor achievement;
- after-school programs, summer school programs, and one-on-one tutoring to provide underperforming students with the help they need to improve their chances for success;

- and reduction of school size or the establishment of schools within schools or alternative schools to improve the learning environment.

In this way, each school can target a plan to address its own unique problems.

This is not a one-size-fits-all solution.

Local schools know better than we do here in Jefferson City what they need to do to improve their own students' performance.

Our mission will be to set the standards to ensure that local accountability leads to improved performance in these priority schools.

I ask for your help and support in this effort.

Because I believe these reforms are vital for Missouri's future.

Lori and I will be carrying this message to schools and communities all across our state over the next few months.

With these unparalleled reforms, we can make Missouri's public schools among the best in the nation.

We can shape the well-educated, productive work force that will ensure Missouri's future.

We cannot afford to be satisfied with anything less -- no more excuses.

## **SECURITY**

After the death and destruction of September 11th, Missourians stepped up to meet the challenge of keeping our citizens safe.

We have refused to allow terrorist threats to disrupt our way of life.

We must now go about our business with new safeguards in place to protect the security of all Missourians.

We want to do all that we can to be prepared for any future acts of terrorism.

I am proud that Missouri is being held up as a model state in the way we responded to the events of September 11th.

We were the first state to appoint a cabinet level Special Advisor on Homeland Security to coordinate our state security efforts.

And I want to congratulate Colonel Tim Daniel for the great job he is doing.

Colonel Daniel, would you please stand so we can acknowledge you for your work.

Another individual who is responsible for the high marks we are receiving after September 11th is our Director of Health and Senior Services, Dr. Maureen Dempsey.

We are the only state to establish an agreement between our Department of Health and Senior Services and the FBI to investigate possible criminal actions where chemical or biological agents are present.

And I want to commend Dr. Dempsey for her fine work.

Dr. Dempsey, would you please stand.

We were among the first states in the nation to appoint a State Security Panel to assess our security needs.

I look forward to reviewing their recommendations in two days, and I will be recommending new legislation this year based on their ideas.

As you know, I have already proposed several initiatives.

We must make it a felony crime to make false terrorist threats.

And we must make those who try to take advantage of Missourians with price gouging during state emergencies pay dearly for this abuse.

And I have made certain that everyone understands that our new state health lab, which is sorely needed, is moving forward as planned and on schedule.

Construction will begin as originally planned in 2003.

After studying our Missouri Security Panel's report thoroughly, I will urge you to support appropriate changes to our criminal codes and public health laws to protect our citizens.

I want Missouri to send a clear message that we will not tolerate assaults on our democracy.

We will not be bullied.

We will not be threatened.

We will not be stopped.

## **CONCLUSION**

We as a nation are still in the process of overcoming the challenges left in the aftermath of September 11th.

But sometimes our challenges go beyond the personal.

As we have seen so dramatically in the months since September 11th, sometimes we are called upon to meet great challenges from without, as well as from within.

One of those people who has been directly involved with those efforts in New York is the Missourian who is with me today.

Dante Glinecki, who works at our State Emergency Management Agency, has a special skill that is very much needed in times of terrible disaster.

At such times everyone, everywhere, wants to offer food, clothing, and other help.

Delivering those goods in a timely and effective way to those who need them is a tremendous challenge.

Without a system to match relief with recipients, the good intentions and donations of millions can quickly go to waste.

From his organizational relief work during the Missouri floods and similar assistance in other state emergency situations, Dante gained a national reputation as one of the leading authorities in this area.

So when disaster struck in New York, they called for him by name.

And, of course, he went.

Dante not only played a key role in helping the New York recovery efforts, but also had the opportunity to witness, in a very personal way, the victory we have experienced as a democracy following September 11th.

He saw that those who sought to bring us down actually lifted us up.

He saw Americans come together after those horrible events to reaffirm the strength of our democracy.

He proudly represented all of us in New York, and we are proud of him.

Please join me in saluting Dante Glinecki.

Dante, would you please stand.

Dante demonstrated the resolve of all Missourians in responding to a dramatic challenge.

In my first year as Governor, I have seen that same resolve in so many Missourians who make a difference for all of us every day.

One of the programs I initiated in our schools after September 11th was a program called Adopt-A-Hero.

I wanted our schoolchildren to be more aware of how many wonderful role models are right there among them.

I called on them to pick someone out of their community who was making a significant difference in other people's lives.

Many schools responded.

Many heroes have been named.

Dante was adopted by Scullin Elementary School in St. Louis.

And there are many more.

There is the fifth-grader who saved his birthday and allowance money to buy a wheelchair for a 7-year-old boy from Turkey.

There is the retired teacher who returned to the classroom full-time when the teacher of a fourth-grade class was shot and killed at a shopping mall.

There are the firefighter and the police officer who give so much of their time working to improve the safety of their local schools.

Several of these heroes are with us today along with some of the students who adopted them.

I'd like them to stand up in the back gallery so we can give them a proper welcome.

All across this great state, Missourians are working together to make a difference...overcoming challenges every day.

Today, you have met many Missouri heroes who are leading by example.

As we strive to meet the challenges of the coming year, we in this chamber also must lead by example.

We have demonstrated we can.

We proved it just last year with our women's health initiative and senior prescription drug relief bill, when we put politics aside to do what is right for Missouri.

Now, in this difficult budget year, working together is more important than ever.

Many of you are sitting in these chambers for your last session-- 73 in the House and 12 in the Senate.

On behalf of Missourians everywhere, I want to thank you for your dedicated public service.

But I also call on you to make these final days of service truly matter.

Let this session be your finest hour.

There is much we can accomplish.

I've lived through hard times.

And many of you and your families have lived through hard times, too.

But we never let it get the best of us.

I didn't then, and I'm not about to now.

Certainly, the challenges we are facing today will test us.

But by overcoming them, we become stronger.

We can make Missouri better by working smarter and harder.

Let's roll up our sleeves and get started.

Let's meet the challenges head on.

Let's get the job done.

And let's do it in a way that will make Missourians proud.

Thank you.

The Joint Session was dissolved by Senator Kenney.

Representative Scheve assumed the Chair.

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SCS SBs 727 & 703** - Motor Vehicle and Traffic Regulations



## COMMITTEE REPORT

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1037**, **HB 1188**, **HB 1074** and **HB 1271**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 41**, introduced by Representative Bartle, relating to the state budgeting process.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1585**, introduced by Representative Troupe, relating to elections of city assessors.

**HB 1586**, introduced by Representatives Troupe, Reynolds, Walton, Johnson (61) and Boucher, et al, relating to the department of health and senior services.

**HB 1587**, introduced by Representative Troupe, relating to mass transportation terrorism.

**HB 1588**, introduced by Representative Troupe, relating to motor vehicle registration.

**HB 1589**, introduced by Representatives Crump, Kreider, Hampton, Barnitz, Whorton, Overschmidt, Ransdall, Ward, Shoemyer (9) and Selby, et al, relating to concealable weapons.

**HB 1590**, introduced by Representatives Dolan, Dempsey and Bearden, relating to the establishment of the American military veterans bridge.

**HB 1591**, introduced by Representatives Townley, Phillips, Hunter and Cunningham, et al, relating to immunizations for school children.

**HB 1592**, introduced by Representatives Hickey, George, Luetkenhaus, Murphy, O'Toole, Johnson (90) and Levin, et al, relating to the memorial for workers.

**HB 1593**, introduced by Representatives Gratz, Hampton, Townley, Moore, Barnitz, Ward and Thompson, et al, relating to law enforcement and corrections officers qualifications and training.

**HB 1594**, introduced by Representatives Gratz, Hampton, Crump, Koller, Townley, Ward and Thompson, et al, relating to corrections officers' pay.

**HB 1595**, introduced by Representatives Bray, Daus, Riback Wilson (25), Lowe, Wilson (42) and Williams, et al, relating to criminally negligent storage of a firearm.

**HB 1596**, introduced by Representative Harding, et al, relating to registration of exotic animals.

**HB 1597**, introduced by Representative Harding, et al, relating to declarations for mental health treatment.

**HB 1598**, introduced by Representative O'Connor, relating to licensure of motor vehicle dealers, manufacturers, and auctions.

**HB 1599**, introduced by Representatives Lowe and Bray, relating to renewable energy resources.

**HB 1600**, introduced by Representative Treadway, relating to licensing requirements.

**HB 1601**, introduced by Representative Froelker, relating to income taxation.

**HB 1602**, introduced by Representative Froelker, relating to gaming activities.

**HB 1603**, introduced by Representative Froelker, relating to court pleadings and forms.

**HB 1604**, introduced by Representative Froelker, relating to income taxation.

**HB 1605**, introduced by Representative Dolan, relating to establishment of the "Show-Me Old Glory" program.

**HB 1606**, introduced by Representative Dolan, relating to the disposition of human fetuses act.

**HB 1607**, introduced by Representative Burcham, relating to contamination of food or drink.

**HB 1608**, introduced by Representatives Robirds and Myers, et al, relating to statutory liens against real estate.

**HB 1609**, introduced by Representatives Robirds, Koller and Hunter, et al, relating to torts and actions for damages.

**HB 1610**, introduced by Representatives Seigfreid, Koller, Champion, Shoemyer (9), Kreider, Legan and Hosmer, et al, relating to price discrimination.

**HB 1611**, introduced by Representative Bartle, relating to registered sexual offender search on the Internet.

**HB 1612**, introduced by Representative Bartle, relating to incest.

**HB 1613**, introduced by Representatives Ross, Reinhart, Holt, Barnett, Davis, Townley, Moore, Hendrickson, Behnen, Froelker, Hartzler, Jetton, Lawson, Whorton, Hosmer, Crawford, Cooper, Marsh, Clayton and Dolan, et al, relating to veterans.

**HB 1614**, introduced by Representatives Ross, Luetkemeyer, Hartzler and Liese, relating to income tax.

**HB 1615**, introduced by Representative Barnett, relating to appropriations to state departments.

**HB 1616**, introduced by Representative Johnson (90), relating to the professional board of architects, engineers, land surveyors and landscape architects.

The following member's presence was noted: Crump.

### **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Thursday, January 24, 2002.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Monday, January 28, 2002, 2:00 p.m. Hearing Room 7.

Public debt. Public testimony.

#### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Thursday, January 24, 2002, 11:00 a.m. Hearing Room 6.

Public testimony regarding appropriations for the Department of Mental Health.

#### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Monday, January 28, 2002, 12:30 p.m. Hearing Room 5.

Department of Agriculture, Department of Conservation

Hearing on Governor's recommendations.

#### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, January 29, 2002. Hearing Room 5 upon adjournment. AMENDED.

Departments of Insurance, Economic Development, Labor & Industrial Relations

Governor's recommendations.

#### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 30, 2002. Hearing Room 5 upon adjournment. AMENDED.

Department of Natural Resources

Governor's recommendations.

**CHILDREN, FAMILIES, AND HEALTH**

Thursday, January 24, 2002, 8:00 a.m. Hearing Room 5.

Executive Session will follow

To be considered - HB 1052, HB 1263, HB 1443

**CONSERVATION, STATE PARKS AND MINING**

Monday, January 28, 2002, 5:30 p.m. Runge Conservation Nature Center.

To be discussed: Quail; Draft DNR proposed regulations pertaining to sand and gravel mining.

**ENVIRONMENT AND ENERGY**

Thursday, January 24, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 1149

**JUDICIARY**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1036, HB 1076, HB 1264, HJR 28

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, January 29, 2002, 8:00 p.m. Hearing Room 6.

To be considered - HB 1156, HB 1157

**HOUSE CALENDAR**

TENTH DAY, THURSDAY, JANUARY 24, 2002

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 41

**HOUSE BILLS FOR SECOND READING**

HB 1585 through HB 1616

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1338 - Relford
- 2 HB 1399 - Ransdall
- 3 HCS HB 1037, 1188, 1074 & 1271 - Hosmer

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TENTH DAY, THURSDAY, JANUARY 24, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, how excellent is Your name in all the Earth. Bless with Your power and presence, these men and women of the House, and their staff. Give to them the measure of patience and insight they require to do the people's business. Protect them from giving up on the things that are important, and help them let go of those things that are trivial. Keep them, and their families, in this new day.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as corrected by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton

Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Hendrickson	Hohulin	Hunter	Lograsso
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PRESENT: 000

ABSENT WITH LEAVE: 008

Crump	Dolan	Levin	Long	Naeger
Nordwald	Richardson	Surface		

VACANCIES: 003

## RESOLUTION

Representative Harding offered House Resolution No. 124.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 104	-	Representative Shields
House Resolution No. 105	-	Representative Gratz
House Resolution No. 106		
through		
House Resolution No. 110	-	Representative Williams
House Resolution No. 111	-	Representative Burton
House Resolution No. 112		
and		
House Resolution No. 113	-	Representative Reynolds
House Resolution No. 114	-	Representative Smith
House Resolution No. 115		
through		
House Resolution No. 119	-	Representative Jetton
House Resolution No. 120	-	Representatives Lograsso and Ross
House Resolution No. 121		
through		
House Resolution No. 123	-	Representative Harding
House Resolution No. 125	-	Representative Moore
House Resolution No. 126	-	Representative Froelker
House Resolution No. 127	-	Representative Clayton
House Resolution No. 128	-	Representative Rector

### SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 41** was read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 1585** through **HB 1616** were read the second time.

## **PERFECTION OF HOUSE BILLS**

**HB 1338**, relating to teacher licenses, was taken up by Representative Relford.

On motion of Representative Relford, **HB 1338** was ordered perfected and printed.

**HB 1399**, relating to World War II medals, was taken up by Representative Ransdall.

Representative Ransdall offered **HS HB 1399**.

On motion of Representative Ransdall, **HS HB 1399** was adopted.

On motion of Representative Ransdall, **HS HB 1399** was ordered perfected and printed.

## **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1399**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HS HB 1399** - Fiscal Review and Government Reform (Fiscal Note)

**HB 1134** - Conservation, State Parks and Mining

**HB 1301** - Correctional and State Institutions

**HB 1302** - Criminal Law

**HB 1303** - Children, Families and Health

**HB 1304** - Insurance

**HB 1305** - Correctional and State Institutions

**HB 1306** - Fiscal Review and Government Reform

**HB 1307** - Motor Vehicle and Traffic Regulations

**HB 1308** - Motor Vehicle and Traffic Regulations

**HB 1309** - Social Services, Medicaid and the Elderly

**HB 1310** - Motor Vehicle and Traffic Regulations

**HB 1311** - Miscellaneous Bills & Resolutions

**HB 1312** - Criminal Law

**HB 1313** - Professional Registration and Licensing  
**HB 1314** - Motor Vehicle and Traffic Regulations  
**HB 1315** - Civil and Administrative Law  
**HB 1316** - Judiciary  
**HB 1317** - Judiciary  
**HB 1318** - Labor  
**HB 1319** - Ways and Means  
**HB 1320** - Motor Vehicle and Traffic Regulations  
**HB 1321** - Education-Higher  
**HB 1322** - Education-Elementary and Secondary  
**HB 1323** - Environment and Energy  
**HB 1326** - Elections  
**HB 1328** - Elections  
**HB 1329** - Criminal Law  
**HB 1331** - Criminal Law  
**HB 1332** - Elections  
**HB 1334** - Professional Registration and Licensing  
**HB 1335** - Education-Elementary and Secondary  
**HB 1336** - Education-Elementary and Secondary  
**HB 1337** - Banks and Financial Institutions  
**HB 1341** - Judiciary  
**HB 1342** - Elections  
**HB 1343** - Motor Vehicle and Traffic Regulations  
**HB 1344** - Sportsmanship, Safety and Firearms  
**HB 1347** - Environment and Energy  
**HB 1348** - Agriculture  
**HB 1350** - Miscellaneous Bills & Resolutions  
**HB 1351** - Education-Higher  
**HB 1352** - Education-Elementary and Secondary  
**HB 1353** - Transportation  
**HB 1354** - Education-Elementary and Secondary  
**HB 1355** - Transportation  
**HB 1356** - Education-Elementary and Secondary  
**HB 1357** - Local Government and Related Matters  
**HB 1360** - Social Services, Medicaid and the Elderly  
**HB 1361** - Children, Families and Health  
**HB 1362** - Social Services, Medicaid and the Elderly  
**HB 1363** - Banks and Financial Institutions  
**HB 1368** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1369** - Children, Families and Health  
**HB 1370** - Commerce and Economic Development  
**HB 1372** - Ways and Means  
**HB 1373** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1374** - Social Services, Medicaid and the Elderly  
**HB 1375** - Insurance



**HB 1376** - Commerce and Economic Development  
**HB 1377** - Commerce and Economic Development  
**HB 1378** - Professional Registration and Licensing  
**HB 1380** - Judiciary  
**HB 1381** - Insurance  
**HB 1384** - Social Services, Medicaid and the Elderly  
**HB 1385** - Ways and Means  
**HB 1388** - Utilities Regulation  
**HB 1389** - Transportation  
**HB 1391** - Motor Vehicle and Traffic Regulations  
**HB 1392** - Education-Elementary and Secondary  
**HB 1393** - Miscellaneous Bills & Resolutions  
**HB 1394** - Criminal Law  
**HB 1395** - Commerce and Economic Development  
**HB 1396** - Insurance  
**HB 1397** - Motor Vehicle and Traffic Regulations  
**HB 1398** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1400** - Transportation  
**HB 1479** - Social Services, Medicaid and the Elderly  
**HB 1519** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1592** - Labor

### **COMMITTEE REPORT**

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1192**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 42**, introduced by Representatives Bearden, Hanaway, Hunter, Crawford, Dempsey and Dolan, et al, relating to assessment of real property.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1617**, introduced by Representative Griesheimer, relating to retirement of certain state employees.

**HB 1618**, introduced by Representatives Bearden, Hanaway, Hunter, Crawford, Dempsey and Dolan, et al, relating to real and personal property assessment.

**HB 1619**, introduced by Representative Wright, et al, relating to failing to stop on signal of the patrol.

**HB 1620**, introduced by Representatives Ward and Selby, relating to employee salaries within the Missouri department of transportation.

**HB 1621**, introduced by Representatives Clayton, Richardson, Carnahan and Hilgemann, relating to the basic civil legal services fund.

**HB 1622**, introduced by Representative Selby, relating to comprehensive psychiatric services.

**HB 1623**, introduced by Representative Luetkenhaus, relating to the daily observance of one minute of silence.

**HB 1624**, introduced by Representatives Skaggs, Lograsso, Shields, Lawson, Black, Crowell, Fraser, Merideth, Barnett, Richardson and Bartelsmeyer, et al, relating to special license plates.

**HB 1625**, introduced by Representatives Carnahan, Franklin, Copenhaver, Monaco, Harding, Whorton and Shoemyer (9), et al, relating to the character education grant program and fund.

**HB 1626**, introduced by Representatives Kreider, Murphy, Relford and Boucher, et al, relating to the financing of capital improvements for schools.

**HB 1627**, introduced by Representative Kreider, relating to building regulations in certain counties.

**HB 1628**, introduced by Representative Luetkenhaus, relating to reciting the Pledge of Allegiance in public schools.

**HB 1629**, introduced by Representative Hollingsworth, relating to offenses against public order.

**HB 1630**, introduced by Representatives Johnson (90), O'Connor, Hickey, Selby, O'Toole and Green (15), relating to reimbursement for emergency services.

**HB 1631**, introduced by Representatives Byrd, Hanaway, Secrest, Crawford and Hunter, et al, relating to deductions from state employee compensation.

**HB 1632**, introduced by Representative O'Connor, relating to a fraternal order of police license plate.

**HB 1633**, introduced by Representative Hoppe, relating to the procedure for collection of certain taxes.

**HB 1634**, introduced by Representative Hoppe, relating to land trust expenses.

**HB 1635**, introduced by Representative Hoppe, relating to water corporations.

**HB 1636**, introduced by Representative Hoppe, relating to election authority verification boards.

**HB 1637**, introduced by Representative Wright, relating to income taxation.

**HB 1638**, introduced by Representative Wright, relating to the promotion of educational preparedness for children.

**HB 1639**, introduced by Representative Wright, relating to individual income tax rates for Missouri residents.

**HB 1640**, introduced by Representative Wright, relating to income tax credits for child care.

**HB 1641**, introduced by Representatives Monaco, Portwood and Rizzo, relating to the practice of chiropractic.

**HB 1642**, introduced by Representatives Monaco, Ridgeway, Byrd, Richardson and Crowell, et al, relating to the uniform electronic transactions act.

**HB 1643**, introduced by Representatives Holand and Barry, relating to medical records.

**HB 1644**, introduced by Representatives Holand and Barry, relating to required disciplinary reports for medical facilities.

**HB 1645**, introduced by Representative Griesheimer, relating to the designation of the Henry Shaw Ozark Corridor.

**HB 1646**, introduced by Representatives Henderson and Luetkemeyer, et al, relating to insurers.

**HB 1647**, introduced by Representatives Ladd Baker, Portwood, Harlan, Hilgemann, Bray, Campbell, Boucher, Williams and Harding, et al, relating to universal designed homes.

**HB 1648**, introduced by Representative Luetkenhaus, relating to higher education funding.

**HB 1649**, introduced by Representatives Bowman, Carnahan, Gambaro and Reid, et al, relating to urban conservation.

**HB 1650**, introduced by Representatives Bowman, Villa, Johnson (61), Carnahan, Burton, Hagan-Harrell, and Thompson, et al, relating to water pollution bonds.

**HB 1651**, introduced by Representatives Copenhaver, Franklin, Davis and Moore, relating to appropriations for the A+ school program.

**HB 1652**, introduced by Representative Dolan, relating to abandonment of a child.

**HB 1653**, introduced by Representatives Hosmer, Marsh and Holand, et al, relating to use of tobacco products in correctional centers.

**HB 1654**, introduced by Representatives Hosmer, Kreider, Ladd Baker, Abel, Willoughby, Johnson (90), Kelly (27), Monaco, Harding, Carnahan, Marsh, Moore and Smith, relating to protection of the elderly.

### COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Crump is no longer Chair of the Sportsmanship, Safety and Firearms Committee, but will remain a member of the Committee.

Representative Barnitz is no longer Vice-chair of the Sportsmanship, Safety and Firearms Committee, but has been appointed Chair of the Committee.

Representative Sanders Brooks is no longer a member of the Tourism, Recreation and Cultural Affairs Committee.

Representative Hampton has been appointed Vice-chair of the Sportsmanship, Safety and Firearms Committee.

Representative Haywood has been appointed a member of the Tourism, Recreation and Cultural Affairs Committee.

### WITHDRAWAL OF HOUSE BILL

January 9, 2002

The Honorable Jim Kreider  
Speaker of the Missouri House of Representatives  
Room 308, State Capitol  
Jefferson City, MO 65101

Dear Speaker Kreider:

Please withdraw **House Bill 1324**. Thank you for your time and attention to this matter.

Sincerely,

/s/ Representative Bill Boucher

The following member's presence was noted: Richardson.

## **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, January 28, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Ninth Day, Wednesday, January 23, 2002, pages 107 and 108, roll call, by showing Representatives Crawford and Williams voting "aye" rather than "absent with leave".

Pages 107 and 108, roll call, by showing Representative Purgason voting "no" rather than "absent with leave".

Pages 108 and 109, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE - SUBCOMMITTEE NUMBER FOUR**

Tuesday, January 29, 2002, 8:30 a.m. Room 200A.

### **AGRICULTURE - SUBCOMMITTEE NUMBER ONE**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 7.

### **AGRICULTURE - SUBCOMMITTEE NUMBER THREE**

Tuesday, January 29, 2002, 8:00 a.m. Room 408.

Expanding access to capital for business creation and expansion.

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, January 30, 2002, 11:00 a.m. Hearing Room 1.

Homeland Security overview. Task Force 1 presentation.

### **APPROPRIATIONS - EDUCATION**

Tuesday, January 29, 2002. Hearing Room 1 upon adjournment.

Department of Elementary and Secondary Education

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 30, 2002, 1:00 p.m. Hearing Room 1.

Department of Elementary and Secondary Education

Public testimony.

### **APPROPRIATIONS - EDUCATION**

Thursday, January 31, 2002. Hearing Room 1 upon adjournment.

APPROPRIATIONS - EDUCATION

Monday, February 4, 2002, 1:00 p.m. Hearing Room 1.  
Continuation of Colleges, Universities, community colleges.  
Public testimony.

APPROPRIATIONS - EDUCATION

Tuesday, February 5, 2002. Hearing Room 1 upon adjournment.  
Mark-up session.

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued.

APPROPRIATIONS - EDUCATION

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, January 28, 2002, 2:00 p.m. Hearing Room 7.  
Public debt. Public testimony.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 29, 2002. Hearing Room 7 fifteen minutes after adjournment.  
Department of Revenue.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, January 28, 2002, 1:00 p.m. Hearing Room 6.  
Testimony Department of Health, Mental Health, and Senior Services  
Staff of Department of Health & Senior Services.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 29, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Testimony Department of Health, Mental Health, and Senior Services  
Staff of Health, Senior Services.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 30, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Testimony Department of Health, Mental Health, and Senior Services  
Staff Department of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 31, 2002. Hearing Rm.6 upon adjournment or 11:00a.m  
Testimony Department of Health, Mental Health, and Senior Services  
Staff Department of Mental Health.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Monday, January 28, 2002, 12:30 pm. Hearing Room 5.

Department of Agriculture, Department of Conservation

Hearing on Governor's recommendations

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, January 29, 2002. Hearing Room 5 upon adjournment. AMENDED.

Departments of Insurance, Economic Development, Labor and Industrial Relations

Governor's recommendations.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, January 30, 2002. Hearing Room 5 upon adjournment. AMENDED.

Department of Natural Resources

Governor's recommendations.

**APPROPRIATIONS - TRANSPORTATION**

Tuesday, January 29, 2002, 8:30 a.m. Hearing Room 7.

MoDOT's budget.

Public testimony February 6, 7 and 8.

**APPROPRIATIONS - TRANSPORTATION**

Wednesday, January 30, 2002, 8:30 a.m. Hearing Room 7.

MoDOT's budget.

Public testimony February 5, 6 and 7.

**APPROPRIATIONS - TRANSPORTATION**

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 7.

MoDOT's budget.

Public testimony February 5, 6 and 7.

**CHILDREN, FAMILIES, AND HEALTH**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 4.

To be considered - HB 1033, HB 1216, HB 1217

**CONSERVATION, STATE PARKS AND MINING**

Monday, January 28, 2002, 5:30 p.m. Runge Conservation Nature Center.

To be discussed: Quail; Draft DNR proposed regulations pertaining to sand and gravel mining.

**CRIMINAL LAW**

Wednesday, January 30, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1211, HB 1227, HB 1245, HB 1256, HB 1498

**EDUCATION - ELEMENTARY AND SECONDARY**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 3.

To be considered - HB 1130, HB 1246, HB 1287, HJR 32

**ETHICS**

Tuesday, January 29, 2002. Side gallery upon morning adjournment.  
Consideration Tourism Caucus. Additions Freshman Caucus.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, January 30, 2002, 1:00 p.m. Hearing Room 4.  
Review of Oversight reports.

**JUDICIARY**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 5.  
To be considered - HB 1036, HB 1076, HB 1264, HJR 28

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, January 30, 2002, 8:45 a.m. Hearing Room 6.  
To be considered - HCR 5, HCR 7, HJR 34, HJR 35

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 1.  
To be considered - HB 1075, HB 1093, HB 1094, HB 1095, HB 1099, HB 1204, HB 1205,  
HB 1265, HB 1272, SB 727

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, January 29, 2002, 8:30 a.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1258, HB 1519

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, January 29, 2002, 8:00 p.m. Hearing Room 6.  
To be considered - HB 1156, HB 1157

**HOUSE CALENDAR**

ELEVENTH DAY, MONDAY, JANUARY 28, 2002

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 42

**HOUSE BILLS FOR SECOND READING**

HB 1617 through HB 1654

**HOUSE BILL FOR PERFECTION**

HCS HB 1037, 1188, 1074 & 1271 - Hosmer



**HOUSE BILLS FOR THIRD READING**

- 1 HB 1338 - Relford
- 2 HS HB 1399, E.C. - Ransdall (Fiscal Review 1-24-02)

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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ELEVENTH DAY, MONDAY, JANUARY 28, 2002

Speaker Kreider in the Chair.

Prayer by Representative Phil Willoughby.

Almighty God, just as the Psalmist gazed toward Heaven and declared the glory of Your creation, so we look to You for guidance and inspiration as we exercise our stewardship over Your creation.

Throughout the week ahead, as we perform the important task of being representatives, we ask You to give us understanding in our deliberations, wisdom in our decisions, and kindness in our demeanor.

We thank You for allowing us to be public servants.

In Your blessed and Holy name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the tenth day was approved as printed.

## RESOLUTIONS

Representative Harlan offered House Resolution No. 136.

Representative Williams offered House Resolution No. 137.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 129

through

House Resolution No. 131 - Representative Naeger

House Resolution No. 132 - Representatives Merideth and Britt

House Resolution No. 133 - Representative Crawford

House Resolution No. 134 - Representative Kreider

House Resolution No. 135 - Representative Ridgeway

House Resolution No. 138 - Representative Hilgemann

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 42** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1617** through **HB 1654** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1338**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## PERFECTION OF HOUSE BILL

**HCS HBs 1037, 1188, 1074 & 1271**, relating to statute of limitations, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HCS HBs 1037, 1188, 1074 & 1271**.

On motion of Representative Hosmer, **HS HCS HBs 1037, 1188, 1074 & 1271** was adopted.

On motion of Representative Hosmer, **HS HCS HBs 1037, 1188, 1074 & 1271** was ordered perfected and printed.

## THIRD READING OF HOUSE BILL

**HB 1338**, relating to teacher licenses, was taken up by Representative Relford.

On motion of Representative Relford, **HB 1338** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27

King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 010

Bartelsmeyer	Burcham	Burton	Crump	Green 15
Hickey	Hoppe	Kelly 36	Reid	Walton

VACANCIES: 004

Speaker Kreider declared the bill passed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1424** - Education-Higher

**HB 1654** - Social Services, Medicaid and the Elderly

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 10**, introduced by Representatives O'Connor and Reid, relating to the Hazelwood Ford Assembly Plant.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1655**, introduced by Representative Troupe, relating to high interest home loans.

**HB 1656**, introduced by Representatives Wright, Roark, Champion and Holand, relating to sexual offenses.

**HB 1657**, introduced by Representative Cunningham, relating to property tax appeals.

**HB 1658**, introduced by Representatives Hunter, Kelly (36), Phillips, Mayer, Shoemaker (8), Secrest and Holt, et al, relating to registration of offenders.

**HB 1659**, introduced by Representatives Kelly (27), Williams, Riback Wilson (25), Harding, Ostmann, Crowell and Graham, et al, relating to surcharges.

**HB 1660**, introduced by Representative Cunningham, relating to property taxation.

**HB 1661**, introduced by Representative Cunningham, relating to deductibility of individual and corporate federal income taxes.

**HB 1662**, introduced by Representative Rizzo, relating to investment funds service corporations.

**HB 1663**, introduced by Representative Seigfreid, relating to gubernatorial inaugural committees.

**HB 1664**, introduced by Representative Bray, relating to disabled person license plates.

**HB 1665**, introduced by Representatives Holt and Luetkenhaus, et al, relating to municipal court costs.

**HB 1666**, introduced by Representatives Holt and Dolan, et al, relating to reciting the Pledge of Allegiance in public schools.

**HB 1667**, introduced by Representative Holt, et al, relating to health insurance coverage for hearing aids.

**HB 1668**, introduced by Representatives Holt, Luetkenhaus and Dolan, et al, relating to Emergency Personnel Appreciation Day.

**HB 1669**, introduced by Representatives Holt, Dempsey and Green (15), et al, relating to real and personal property assessment.

**HB 1670**, introduced by Representatives Holt and Luetkenhaus, et al, relating to voter information lists.

**HB 1671**, introduced by Representatives Johnson (90) and Kreider, relating to private investigators.

**HB 1672**, introduced by Representatives Gambaro, Myers, Ransdall, Green (73), Shoemyer (9), Hilgemann, Whorton, Villa, Hegeman, Fraser and McKenna, et al, relating to income tax revenues from nonresidents.

**HB 1673**, introduced by Representative Koller, relating to a memorial highway.

**HB 1674**, introduced by Representatives O'Toole and Dempsey, relating to public retirement plans.

**HB 1675**, introduced by Representative Scheve, relating to noncompetition clauses for broadcasting industry employees.

**HB 1676**, introduced by Representatives Wagner, Luetkemeyer and Liese, relating to financial services.

### **LETTER OF RESIGNATION**

January 25, 2002

Speaker Jim Kreider:  
Missouri House of Representatives  
State Capitol Building  
201 Capitol Ave.  
Room 308  
Jefferson City, MO 65101

Dear Mr. Speaker:

Please accept my letter of resignation as State Representative of the 82<sup>nd</sup> District effective 4:15 p.m., Monday, January 28, 2002. It has been a privilege and an honor to serve my neighbors and the state of Missouri for the last seven plus years.

My personal responsibilities have grown to a point where I am unable to meet the high standards that I have set for myself since entering this office in 1995.

My resignation now will allow the Governor to call for a special election at the earliest possible date, hence minimizing the time my constituents will be without an elected representative.

It has been a tremendous life-changing experience to serve in the Missouri House of Representatives.

Sincerely,

/s/ David L. Levin

## **WITHDRAWAL OF HOUSE BILL**

January 25, 2002

The Honorable Jim Kreider, Speaker  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to have **HB 1484** withdrawn.

Thank you.

Sincerely,

/s/ Rick Johnson

The following members' presence was noted: Hickey and Reid.

## **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, January 29, 2002.

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, January 30, 2002, 3:00 p.m. Hearing Room 7.

Sub-committee meetings to follow.

To be considered - HB 1240, HB 1348

### **AGRICULTURE - SUBCOMMITTEE NUMBER FOUR**

Tuesday, January 29, 2002, 8:30 a.m. Room 200A.

### **AGRICULTURE - SUBCOMMITTEE NUMBER ONE**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 7.

### **AGRICULTURE - SUBCOMMITTEE NUMBER THREE**

Tuesday, January 29, 2002, 8:00 a.m. Room 408.

Expanding access to capital for business creation and expansion.

### **AGRICULTURE - SUBCOMMITTEE NUMBER TWO**

Tuesday, January 29, 2002, 2:45 p.m. Room B-22.

**APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, January 30, 2002, 11:00 a.m. Hearing Room 1.  
Homeland Security overview. Task Force 1 presentation.

**APPROPRIATIONS - EDUCATION**

Tuesday, January 29, 2002. Hearing Room 1 upon adjournment.  
Department of Elementary and Secondary Education.

**APPROPRIATIONS - EDUCATION**

Wednesday, January 30, 2002, 1:00 p.m. Hearing Room 1.  
Department of Elementary and Secondary Education.  
Public testimony.

**APPROPRIATIONS - EDUCATION**

Thursday, January 31, 2002. Hearing Room 1 upon adjournment.

**APPROPRIATIONS - EDUCATION**

Monday, February 4, 2002, 1:00 p.m. Hearing Room 1.  
Continuation of Colleges, Universities, Community Colleges.  
Public testimony.

**APPROPRIATIONS - EDUCATION**

Tuesday, February 5, 2002. Hearing Room 1 upon adjournment.  
Mark-up session.

**APPROPRIATIONS - EDUCATION**

Wednesday, February 6, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued.

**APPROPRIATIONS - EDUCATION**

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 29, 2002. Hearing Room 7 fifteen minutes after adjournment.  
Department of Revenue.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 30, 2002. Hearing Room 7 fifteen minutes after adjournment.  
Department of Revenue, Office of Administration.

**APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Tuesday, January 29, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Testimony Department of Health, Mental Health, and Senior Services.  
Staff Department of Health, Senior Services.



APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 30, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Testimony Department of Health, Mental Health, and Senior Services.  
Staff Department of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 31, 2002. Hearing Room 6 upon adjournment or 11:00a.m.  
Testimony Department of Health, Mental Health, and Senior Services.  
Staff Department of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 4, 2002, 1:30 pm. Hearing Room 6.  
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 5, 2002. Hearing Room 6 upon adjournment or 11:00a.m.  
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 6, 2002. Hearing Room 6 upon adjournment or 11:00a.m.  
Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 29, 2002. Hearing Room 5 upon adjournment. AMENDED.  
Departments of Insurance, Economic Development, Labor & Industrial Relations  
Governor's recommendations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 30, 2002. Hearing Room 5 upon adjournment. AMENDED.  
Department of Natural Resources  
Governor's recommendations.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, January 29, 2002. Hearing Room 3 upon adjournment.  
Department of Social Services public testimony.

APPROPRIATIONS - TRANSPORTATION

Tuesday, January 29, 2002, 8:30 a.m. Hearing Room 7.  
MoDOT's budget.  
Public testimony February 5, 6 and 7.

APPROPRIATIONS - TRANSPORTATION

Wednesday, January 30, 2002, 8:30 a.m. Hearing Room 7.  
MoDOT's budget.  
Public testimony February 5, 6 and 7.

APPROPRIATIONS - TRANSPORTATION

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 7.

MoDOT's budget.

Public testimony February 5, 6 and 7.

BUDGET

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 3.

Presentation on the audit of Missouri's State Tax Credit Programs.

BUDGET

Thursday, January 31, 2002. Hearing Room 3 upon adjournment.

Presentation by Private Sector Commission. CANCELLED.

CHILDREN, FAMILIES, AND HEALTH

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 4. AMENDED.

To be considered - HB 1033, HB 1216

CIVIL AND ADMINISTRATIVE LAW

Wednesday, January 30, 2002, 3:00 p.m. Hearing Room 1.

Executive Session to follow.

To be considered - HB 1064, HB 1243, HB 1257, HB 1279

CRIMINAL LAW

Wednesday, January 30, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1211, HB 1227, HB 1245, HB 1256, HB 1498

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 3.

To be considered - HB 1130, HB 1246, HB 1287, HJR 32

ETHICS

Tuesday, January 29, 2002. Side gallery upon morning adjournment.

Consideration Tourism Caucus.

Additions Freshman Caucus.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, January 30, 2002, 1:00 p.m. Hearing Room 4.

Review of Oversight reports.

JUDICIARY

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1036, HB 1076, HB 1264, HJR 28

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1213, HB 1234, HB 1261, HB 1286, HB 1357

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, January 30, 2002, 8:45 a.m. Hearing Room 6.

To be considered - HCR 5, HCR 7, HJR 34, HJR 35

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, January 29, 2002, 3:00 p.m. Hearing Room 1.

To be considered - HB 1075, HB 1093, HB 1094, HB 1095, HB 1099, HB 1204, HB 1205, HB 1265, HB 1272, SB 727

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, January 29, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1258, HB 1519

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, January 29, 2002, 8:00 p.m. Hearing Room 6.

To be considered - HB 1156, HB 1157

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 6. AMENDED.

To be considered - HB 1156, HB 1157, HB 1479

**HOUSE CALENDAR**

TWELFTH DAY, TUESDAY, JANUARY 29, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 10

**HOUSE BILLS FOR SECOND READING**

HB 1655 through HB 1676

**HOUSE BILLS FOR THIRD READING**

1 HS HB 1399, E.C., (Fiscal Review 1-24-02) - Ransdall

2 HS HCS HB 1037, 1188, 1074 & 1271, E.C. - Hosmer

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWELFTH DAY, TUESDAY, JANUARY 29, 2002

Speaker Kreider in the Chair.

Prayer by Representative Betty Thompson.

Thank God for another day, one that you and I have never seen before.

I ask God to bless our Speaker who is the keeper of this House, and our legislators and families that we may be good and faithful servants of the people, who we represent.

God, we ask that You put Your arms around us during these tough times of budget cuts. We're not perfect, but we serve a perfect God, so continue to protect our children, senior citizens, disabled, veterans, and the people of this great state.

We ask these blessings in Your name. We shall walk together children and don't get weary. There will be a great day coming in the Promised Land. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caroline Francis, Bridgette Stephens, Ben Truesdell, James Hyatt, Karis Sims, Paul Messmer, Cole Abel, Daniel Wakefield, Adam Magee, Martha Hensel, Lucia Bourgeois, Jordan Isgriggs and James Keathley.

The Journal of the eleventh day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 139	-	Representatives Hendrickson and Enz
House Resolution No. 140	-	Representatives Ross and Lograsso
House Resolution No. 141	-	Representative Ross
House Resolution No. 142	-	Representative Roark
House Resolution No. 143	-	Representative Kreider
House Resolution No. 144	-	Representative George

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 10** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1655** through **HB 1676** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1037, 1188, 1074 & 1271**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## THIRD READING OF HOUSE BILL

**HS HCS HBs 1037, 1188, 1074 & 1271**, relating to statute of limitations, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HS HCS HBs 1037, 1188, 1074 & 1271** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway

Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer	Henderson	Hosmer	Kelly 36	Ridgeway
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VACANCIES: 004

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	King	Koller
Lawson	Legan	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer	Harlan	Hegeman	Henderson	Kelly 36
Linton	Schwab			

VACANCIES: 004

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1196** - Transportation

**HB 1466** - Transportation

**HB 1472** - Environment and Energy

## COMMITTEE REPORTS

**Committee on Ethics**, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **TOURISM CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To:                      Representative Robert Clayton  
                             Chairman, House Ethics Committee

From:                   Representative Estel Robirds

Date:                    January 17, 2002

Subject:                Tourism Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo, I would like to request a hearing and approval for the Missouri House Tourism Caucus.

A listing of the members of the 91<sup>st</sup> General Assembly, Second Regular Session Tourism Caucus is attached.

<u>District</u>	<u>Name</u>
4	/s/ Rex Barnett
6	/s/ Randall Relford
9	/s/ Wes Shoemyer
10	/s/ Robert Clayton
16	/s/ Carl Bearden
17	/s/ Bruce Holt
20	/s/ Danielle Moore
24	/s/ Chuck Graham
25	/s/ Vicky Riback Wilson
29	/s/ Maurice Lawson
34	/s/ Annie Reinhart
44	/s/ Jenee Lowe
48	/s/ Bill Boucher
53	/s/ Richard Franklin

55	/s/ Carson Ross
65	/s/ Derio Gambaro
77	/s/ David Reynolds
83	/s/ Barbara Fraser
85	/s/ Christopher Liese
91	/s/ Kathlyn Fares
105	/s/ Harold Selby
109	/s/ John Griesheimer
110	/s/ Francis Overschmidt
111	/s/ Jim Froelker
112	/s/ Merrill Townley
113	/s/ Bill Gratz
115	/s/ Blaine Luetkemeyer
116	/s/ Steve Henderson
117	/s/ Larry Crawford
119	/s/ Delbert Scott
120	/s/ Shannon Cooper
122	/s/ D.J. Davis
123	/s/ Ed Hartzler
125	/s/ Jerry King
127	/s/ Steve Hunter
129	/s/ Chuck Surface
131	/s/ Sam Gaskill
132	/s/ Linda Bartelsmeyer
134	/s/ Norma Champion
135	/s/ Roy Holand
141	/s/ Judy Berkstresser
143	/s/ Estel Robirds
148	/s/ Bill Ransdall
155	/s/ Patrick Naeger
156	/s/ Rod Jetton
160	/s/ Peter Myers, Sr.
144	/s/ Van Kelly
146	/s/ Beth Long
152	/s/ Wayne Crump
102	/s/ Ryan McKenna
18	/s/ Tom Dempsey
149	/s/ Bob May
153	/s/ Don Koller
145	/s/ Ken Legan
154	/s/ Mark Richardson

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 1519**, begs leave to report it has examined the same and recommends that it **Do Pass By Consent**.



### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 11**, introduced by Representative Clayton, to improve environmental quality for the benefit of the State of Missouri.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 43**, introduced by Representatives Luetkenhaus and Ostmann, relating to the legislative department.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1677**, introduced by Representatives Selby, Bray and Bartelsmeyer, et al, relating to the administration of psychotropic medications to minors.

**HB 1678**, introduced by Representative Mays (50), relating to economy-rate telephone services.

**HB 1679**, introduced by Representatives Crump, Richardson, Gambaro, Foley, Haywood, O'Toole, Holt, Overschmidt and Shoemyer (9), et al, relating to horse racing and pari-mutuel wagering.

**HB 1680**, introduced by Representatives Hampton, Holt, Ransdall, Crump, Wagner, Clayton, Lograsso, Barnitz, Whorton, Ward and Luetkenhaus, et al, relating to rights of political subdivisions.

**HB 1681**, introduced by Representatives Reid, Cunningham, Linton, Enz, Holand, Troupe, Cierpiot, Boucher, Quinn and Shoemaker (8), et al, relating to phonics instruction.

**HB 1682**, introduced by Representative Treadway, relating to the practice of dentistry.

**HB 1683**, introduced by Representatives Williams, Bray, Ostmann, Hosmer, Boucher, Fraser and Ladd Baker, et al, relating to seat belts.

**HB 1684**, introduced by Representatives Luetkenhaus and Ostmann, relating to gambling admission fees.

**HB 1685**, introduced by Representatives Luetkenhaus and Ostmann, relating to transportation funding.

**HB 1686**, introduced by Representatives Lowe, Riback Wilson (25), Harding, Kelley (47) and Curls, et al, relating to boating while intoxicated.

**HB 1687**, introduced by Representatives Relford and Hoppe, relating to contracts for public water and sewer supply.

**HB 1688**, introduced by Representatives O'Connor, Naeger and Ross, et al, relating to the sale of motor vehicles and vessels.

**HB 1689**, introduced by Representative Treadway, relating to professional licensing requirements.

**HB 1690**, introduced by Representative Smith, relating to hazardous waste management.

**HB 1691**, introduced by Representatives Curls, Mays (50), Williams, Hollingsworth, Bland, Hoppe and Thompson, et al, relating to telephone service for prison inmates.

**HB 1692**, introduced by Representatives Overschmidt, Koller and Hoppe, relating to liquor sales by the drink in a convention trade area.

**HB 1693**, introduced by Representative Shields, relating to closed records.

**HB 1694**, introduced by Representatives Selby, Shoemyer (9) and Kreider, relating to metabolic and genetic diseases.

**HB 1695**, introduced by Representatives Selby, Shoemyer (9) and Kreider, relating to health insurance coverage for maple syrup urine disease.

**HB 1696**, introduced by Representatives Bowman, Thompson and O'Connor, relating to motor vehicle agency fees.

**HB 1697**, introduced by Representative Hosmer, relating to rent and possession suits.

**HB 1698**, introduced by Representative Hosmer, relating to practice and procedure in civil cases originally filed before associate judges.

**HB 1699**, introduced by Representatives Hosmer, Kreider and Marsh, relating to the protection of certain children.

**HB 1700**, introduced by Representatives Hosmer, Jolly, Britt, Marsh and Boucher, et al, relating to DNA evidence.

### COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Shoemaker (8) has been appointed a member of the Appropriations-Transportation Committee and the Ways and Means Committee.

### WITHDRAWAL OF HOUSE BILLS

January 15, 2002

The Honorable Jim Kreider, Speaker  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Speaker:

This letter is to request that **HB 1175**, relating to acquisition of property for airports, and **HB 1176**, relating to airport noise studies, be withdrawn.

Thank you for your consideration of this request.

/s/ John J. Hickey  
State Representative

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January 29, 2002

The Honorable Jim Kreider  
Speaker of the House of Representatives  
State Capitol Building

Dear Mr. Speaker:

I would like to request that **House Bill 1493**, introduced by me, be withdrawn from consideration.

Thank you.

Sincerely,

/s/ Jim Seigfreid

The following member's presence was noted: Henderson.

### ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, January 30, 2002.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Eleventh Day, Monday, January 28, 2002, page 143, line 13, by deleting all of said line and inserting in lieu thereof the following:

The following members' presence was noted: Hickey, Reid and Green (15).

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, January 30, 2002, 3:00 p.m. Hearing Room 7.

Subcommittee meetings to follow.

To be considered - HB 1240, HB 1348

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, January 30, 2002, 11:00 a.m. Hearing Room 1.

Homeland Security overview.

Task Force 1 presentation.

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 30, 2002, 1:00 p.m. Hearing Room 1.

Department of Elementary and Secondary Education.

Public testimony.

### **APPROPRIATIONS - EDUCATION**

Thursday, January 31, 2002. Hearing Room 1 upon adjournment.

Coordinating Board for Higher Education.

Truman, Lincoln, Harris-Stowe, North Central, SMSU, SEMO, MO Western, MO Southern, Linn State.

AMENDED.

### **APPROPRIATIONS - EDUCATION**

Monday, February 4, 2002, 1:00 p.m. Hearing Room 1.

Continuation of Colleges, Universities, Community Colleges.

University of MO Public testimony. AMENDED.

### **APPROPRIATIONS - EDUCATION**

Tuesday, February 5, 2002. Hearing Room 1 upon adjournment.

Mark-up session.

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 6, 2002. Hearing Room 1 upon adjournment.

Mark-up continued.

APPROPRIATIONS - EDUCATION

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 30, 2002. Hearing Room 7 fifteen minutes after adjournment.  
Office of Administration. AMENDED.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 30, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Testimony Health, Mental Health, Senior Services.  
Staff Department of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 31, 2002. Hearing Rm.6 upon adjournment or 11:00 a.m.  
Testimony Health, Mental Health, Senior Services.  
Staff Department of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 4, 2002, 1:30 p.m. Hearing Room 6.  
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 5, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 6, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 30, 2002. Hearing Room 5 upon adjournment. AMENDED.  
Department of Natural Resources.  
Governor's recommendations.

APPROPRIATIONS - TRANSPORTATION

Wednesday, January 30, 2002, 8:30 a.m. Hearing Room 7.  
MoDOT's budget.  
Public testimony February 5, 6 and 7.

APPROPRIATIONS - TRANSPORTATION

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 7.  
MoDOT's budget.  
Public testimony February 5, 6 and 7.

**BUDGET**

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 3.  
Presentation on the audit of Missouri's State Tax Credit Programs.

**BUDGET**

Thursday, January 31, 2002. Hearing Room 3 upon adjournment.  
Presentation by Private Sector Commission. CANCELLED.

**CIVIL AND ADMINISTRATIVE LAW**

Wednesday, January 30, 2002, 3:00 p.m. Hearing Room 1.  
Executive Session to follow.  
To be considered - HB 1064, HB 1243, HB 1257, HB 1279

**COMMERCE AND ECONOMIC DEVELOPMENT**

Thursday, January 31, 2002, 9:00 a.m. Hearing Room 1.  
Executive Session may follow.  
To be considered - HB 1143

**CRIMINAL LAW**

Wednesday, January 30, 2002, 8:00 p.m. Hearing Room 7.  
To be considered - HB 1211, HB 1227, HB 1245, HB 1256, HB 1498

**EDUCATION - HIGHER**

Wednesday, January 30, 2002, 3:00 p.m. Hearing Room 5.  
To be considered - HB 1321, HB 1351, HB 1424

**FISCAL REVIEW AND GOVERNMENT REFORM**

Thursday, January 31, 2002, 9:30 a.m. Side gallery.  
To be considered - HB 1399

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, January 30, 2002, 1:00 p.m. Hearing Room 4.  
Review of Oversight reports.

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, January 30, 2002, 8:45 a.m. Hearing Room 6.  
To be considered - HCR 5, HCR 7, HJR 34, HJR 35

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 6. AMENDED.  
To be considered - HB 1156, HB 1157, HB 1479

**HOUSE CALENDAR**

THIRTEENTH DAY, WEDNESDAY, JANUARY 30, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 11

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 43

**HOUSE BILLS FOR SECOND READING**

HB 1677 through HB 1700

**HOUSE BILLS FOR PERFECTION - CONSENT**

(January 30, 2002)

1 HB 1519 - Boucher

2 HB 1192 - Harding

**HOUSE BILLS FOR THIRD READING**

HS HB 1399, E.C., (Fiscal Review 1-24-02) - Ransdall

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTEENTH DAY, WEDNESDAY, JANUARY 30, 2002

Speaker Kreider in the Chair.

Prayer by Representative Jim Murphy.

Let us bow our heads.

Dear Lord, let us remember that we as legislators are here not for our sake, but for the well being of others. We as legislators are entrusted with advancing the quality of life of the five million people of our great state.

May we follow the example You set dear Lord, when in anger You threw the money changers out of the temple. May we likewise throw out from this Capitol anyone who would manipulate us for their own gain.

With Thy help that can be done. In You we put our trust. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twelfth day was approved as corrected by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Secrest



Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Hunter                      Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 006

Bartelsmeyer	Kelly 36	Moore	Ridgeway	Scott
Walton				

VACANCIES:004

## **RESOLUTION**

Representative Vogel offered House Resolution No. 150.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 145 - Representative Townley  
House Resolution No. 146  
and  
House Resolution No. 147 - Representative Lowe  
House Resolution No. 148  
and  
House Resolution No. 149 - Representative Richardson  
House Resolution No. 151 - Representative Carnahan  
House Resolution No. 152 - Representative Overschmidt  
House Resolution No. 153 - Representative Holt  
House Resolution No. 154 - Representatives Quinn and Wright

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 11** was read the second time.

### **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 43** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1677** through **HB 1700** were read the second time.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1559** - Conservation, State Parks and Mining
- HB 1593** - Correctional and State Institutions
- HB 1594** - Correctional and State Institutions

## INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 12**, introduced by Representatives Campbell and Ridgeway, et al, relating to prior authorization of excludable and nonexcludable drugs.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 44**, introduced by Representatives Copenhaver, Kreider, Crump, Berkowitz, Whorton, Clayton, Hampton, Barnitz and Shoemyer (9), et al, relating to the right to hunt, fish and harvest game.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1701**, introduced by Representatives Luetkenhaus and Ward, relating to long-term care insurance.

**HB 1702**, introduced by Representatives Ward, Kreider, Britt, Myers, Shoemyer (9), Koller and Selby, et al, relating to concealable firearms.

**HB 1703**, introduced by Representatives Bowman, Thompson, Gambaro, Walton, Boykins, Hilgemann and Shelton, et al, relating to tax relief.

**HB 1704**, introduced by Representatives Bowman, Thompson, Hilgemann, Shelton, Gambaro, Boykins and Walton, et al, relating to tax credits for donations to public schools.

**HB 1705**, introduced by Representative Hollingsworth, relating to county planning and zoning.

**HB 1706**, introduced by Representative Treadway, relating to the practice of nursing.

**HB 1707**, introduced by Representative Miller, et al, relating to the speed patrol pilot project.

**HB 1708**, introduced by Representatives Daus, Gambaro, Johnson (61), Boykins, Carnahan, O'Toole, Hilgemann, Villa and Shelton, et al, relating to the appointment of local registrars.

**HB 1709**, introduced by Representatives Boykins, Thompson, Walton, Shelton, Hilgemann, Bland and Bowman, et al, relating to a tax credit for sponsorship and mentoring program.

**HB 1710**, introduced by Representatives Boykins, Hilgemann, Shelton, Walton, Haywood, Carnahan and Johnson (61), relating to urban teaching scholarships.

**HB 1711**, introduced by Representatives Graham, Kreider, Williams, Carnahan, Riback Wilson (25), Burton, Crump, Farnen, Cunningham and Fraser, et al, relating to state aid.

**HB 1712**, introduced by Representatives Monaco, Carnahan, Richardson, Mayer, Willoughby and Crowell, relating to matters regulated by the secretary of state.

**HB 1713**, introduced by Representatives Monaco, Walton, Johnson (90), Jolly and Mayer, et al, relating to peace officer's health impairment.

**HB 1714**, introduced by Representatives Hilgemann and Shelton, relating to a St. Louis College of Pharmacy special license plate.

**HB 1715**, introduced by Representatives Moore, Graham, May (149), Portwood, Bartelsmeyer, Copenhaver and Lowe, et al, relating to interpreters for the hearing impaired.

**HB 1716**, introduced by Representative Bowman, relating to condemnation proceedings for towns or villages.

**HB 1717**, introduced by Representatives Foley, Johnson (61), Berkstresser, Green (73), Kelly (27), Fraser, Abel, Thompson, Dempsey and Curls, et al, relating to entities funded in whole or in part by the department of social services.

**HB 1718**, introduced by Representatives Barry, Harlan, Holt, Hilgemann, Fraser, Whorton, Bray and Kelly (27), et al, relating to staffing, career ladder, and quality of care provisions for long-term care facilities.

**HB 1719**, introduced by Representatives Harlan, Barry, Hilgemann, Kelly (27), Holt, Fraser, Whorton and Bray, et al, relating to the establishment of a long-term care trust fund.

**HB 1720**, introduced by Representative Burton, relating to road districts.

**HB 1721**, introduced by Representatives Shelton, Carnahan, Thompson, Gambaro, Walton, Bland and Bowman, et al, relating to public school beautification programs.

**HB 1722**, introduced by Representatives Hosmer and Britt, relating to criminal procedure involving mentally retarded individuals.

**HB 1723**, introduced by Representatives Boucher and Kreider, relating to licensing home inspectors.

**HB 1724**, introduced by Representative Froelker, relating to the public school retirement systems.

**HB 1725**, introduced by Representatives Walton, Haywood, Shelton, Wilson (42), Bland, Sanders Brooks and Curls, et al, relating to the Missouri urban tutoring core pilot program.

**HB 1726**, introduced by Representatives Walton, Haywood, Villa, Shelton, Wilson (42), Curls and Bland, et al, relating to discipline in public schools.

**HB 1727**, introduced by Representatives O'Toole and Froelker, relating to a temporary exemption from state and local sales tax on retail sales of clothing and school supplies before the start of the school year.

**HB 1728**, introduced by Representative Holt, relating to collection of back taxes.

**HB 1729**, introduced by Representatives Barnitz, Jetton, Shoemyer (9), Berkowitz, Seigfreid, Whorton, Merideth, Kreider and Hampton, et al, relating to concealable weapons.

**HB 1730**, introduced by Representatives Barnitz, Cunningham, Britt, Hosmer, Portwood, Crawford, Holt and Kelly (36), et al, relating to providing intoxicating liquor to a minor.

**HB 1731**, introduced by Representatives Holand and Barry, relating to health insurance coverage for children's hearing aids.

**HB 1732**, introduced by Representative Ostmann, relating to sewerage services.

**HB 1733**, introduced by Representative Selby, relating to the creation of a board of licensed private fire investigator examiners.

**HB 1734**, introduced by Representatives Crump and O'Toole, relating to sheriff's retirement.

**HB 1735**, introduced by Representative Harlan, relating to the local government investment pool.

**HB 1736**, introduced by Representatives Johnson (61), Shelton, Bowman, Curls, Bland and Gambaro, et al, relating to incentives for special education teachers.

**HB 1737**, introduced by Representatives Monaco and Campbell, relating to fraudulent use of a credit device or a debit device.

**HB 1738**, introduced by Representatives Cunningham, Villa, Myers, Crowell, Cierpiot, Reid, Bearden, Mayer, Portwood and Hendrickson, et al, relating to informed consent to an abortion.

**HB 1739**, introduced by Representatives Cunningham, Portwood, Hendrickson and Gambaro, et al, relating to tax credits for donations to educational charities and scholarship charities.

**HB 1740**, introduced by Representatives Cunningham and Hilgemann, et al, relating to the governing council of certain special school districts.

**HB 1741**, introduced by Representatives Cunningham, Crawford, Myers, Byrd and Cierpiot, et al, relating to the health plan for state employees.

**HB 1742**, introduced by Representatives Cunningham and Portwood, et al, relating to workers' compensation insurance.

### COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative George is no longer Chair of the Joint Committee on Job Training.

Representative Green (15) has been appointed Chair of the Joint Committee on Job Training.

### WITHDRAWAL OF HOUSE BILLS

January 16, 2002

The Honorable Jim Kreider  
Speaker  
House of Representatives  
Capitol Building, Room 308  
Jefferson City, Missouri 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1234** be withdrawn.

Thank you for your consideration of this request.

Sincerely yours,

/s/ Meg Harding

---

January 29, 2002

The Honorable Jim Kreider, Speaker  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to have **HB 1673** withdrawn.

Thank you.

Sincerely,

/s/ Don Koller  
State Representative

The following members' presence was noted: Shoemaker (8) and Scott.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 31, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Twelfth Day, Tuesday, January 29, 2002, pages 149 and 150, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 150 and 151, roll call, by showing Representative Hegeman voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - EDUCATION**

Thursday, January 31, 2002. Hearing Room 1 on adjournment.

Coordinating Board of Higher Education.

Truman, Lincoln, Harris-Stowe, North Central, SMSU, SEMO, MO Western, MO Southern, Linn State

AMENDED.

#### **APPROPRIATIONS - EDUCATION**

Monday, February 4, 2002, 1:00 p.m. Hearing Room 1.

Continuation of Colleges.

Universities, Community Colleges, University of MO Public testimony. AMENDED.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, February 5, 2002. Hearing Room 1 upon adjournment.

Mark-up session.

#### **APPROPRIATIONS - EDUCATION**

Wednesday, February 6, 2002. Hearing Room 1 upon adjournment.

Mark-up continued.

APPROPRIATIONS - EDUCATION

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, January 31, 2002. Hearing Room 7 upon adjournment.  
Office of Administration.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, January 31, 2002. Hearing Room 6. CANCELLED.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 4, 2002, 1:30 p.m. Hearing Room 6.  
Mark-up. CANCELLED.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 5, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 6, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 4, 2002, 12:30 p.m. Hearing Room 5.  
Mark-up.  
Departments of Insurance, Conservation and Agriculture.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 5, 2002. Hearing Room 5 upon adjournment.  
Mark-up.  
Department of Economic Development and the Department of Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 6, 2002. Hearing Room 5 upon adjournment.  
Mark-up. Department of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 5, 2002. Hearing Room 3 upon adjournment.  
Department of Social Services. Public testimony.

APPROPRIATIONS - TRANSPORTATION

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 7.  
MoDOT's budget.  
Public testimony February 5, 6 and 7. CANCELLED.

**BUDGET**

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 3.  
Presentation on the audit of Missouri's State Tax Credit Programs.

**BUDGET**

Thursday, January 31, 2002. Hearing Room 3 upon adjournment.  
Presentation by Private Sector Commission. CANCELLED.

**BUDGET**

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 3.  
Presentation by Private Sector Commission to report on Missouri budgetary process.

**COMMERCE AND ECONOMIC DEVELOPMENT**

Thursday, January 31, 2002, 9:00 a.m. Hearing Room 1.  
Executive Session may follow.  
To be considered - HB 1143

**CONSERVATION, STATE PARKS AND MINING**

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 1.  
To be considered - HB 1100, HB 1134, HB 1559

**ELECTIONS**

Tuesday, February 5, 2002, 7:30 p.m. Hearing Room 5. AMENDED  
To be considered - HB 1326, HB 1328, HB 1332, HB 1342  
Executive Session will follow.

**ENVIRONMENT AND ENERGY**

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 5.  
To be considered - HB 1149

**FISCAL REVIEW AND GOVERNMENT REFORM**

Thursday, January 31, 2002, 9:30 a.m. Side gallery.  
To be considered - HB 1399

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Thursday, January 31, 2002, 8:30 a.m. Hearing Room 6. AMENDED.  
To be considered - HB 1156, HB 1157, HB 1479

**HOUSE CALENDAR**

FOURTEENTH DAY, THURSDAY, JANUARY 31, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 12



**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 44

**HOUSE BILLS FOR SECOND READING**

HB 1701 through HB 1742

**HOUSE BILLS FOR PERFECTION - CONSENT**

(January 30, 2002)

1     HB 1519 - Boucher

2     HB 1192 - Harding

**HOUSE BILL FOR THIRD READING**

HS HB 1399, E.C., (Fiscal Review 1-24-02) - Ransdall

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FOURTEENTH DAY, THURSDAY, JANUARY 31, 2002

Speaker Kreider in the Chair.

Prayer by Representative Pat Kelley (47).

Gracious and Almighty God, we thank You for the air we breathe, the water we drink, the food we eat, for families and friends, preachers and teachers who have taught us about life and about You. We thank You for Your Word, Your Laws, Your moral Principles and Your Amazing Grace.

We, however, are all like the sheep that have gone astray. We have all sinned and fallen short of Your glory. We read the paper and neglect the Bible, we give speeches, but forget to pray, we use Your name more in vain than in reverence, we spend our time pursuing the desires of our hearts and have little time left to spend with You. We spend thousands on things and give You pennies. Our marriages, too often end in divorce. We produce children who, too often, are not allowed to be born. We neglect to teach our children about You. We disobey your laws, ignore Your teachings, and pursue our own ways.

Then we wonder what went wrong; why do we face so many problems. Oh Lord, we pray today that all of the people in this room, in our families and friends, in our communities, our state and our nation would recognize the error of our ways. We pray that in our newfound patriotism and unity of purpose, we will humble ourselves and pray, and seek Your face and turn from our wicked ways. We pray, O Lord, You will hear our prayers, forgive our sins and heal our land. We pray that we will recognize that You are our hope, and that we will believe in You, obey You, trust in You and follow You to the abundant life You want for us and to eternal life in Heaven.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirteenth day was approved as corrected.

## RESOLUTION

**House Resolution No. 134** was taken up by Representative Kreider and read.

### HOUSE RESOLUTION NO. 134

WHEREAS, the members of the Missouri House of Representatives occasionally pause in their diverse duties and responsibilities in order to acknowledge the spectacular attainments of Show-Me State college students who bring honor and glory to this state through the quality of their extracurricular competitive activities; and

WHEREAS, the Students in Free Enterprise (SIFE) team at Drury University in Springfield, Missouri, enjoyed a year-long series of accomplishments during the 2000-2001 school year, including the operation of an on-campus "Smal-Mart" convenience store for which team members had complete responsibility for negotiating contracts with suppliers, designing cash collection and accounting procedures, loss control, and security; continued development and operation of the "YEA!" web-based Young Entrepreneurs Association which is devoted to free enterprise education for middle school teachers and students, has grown to include 510 schools in 17 countries and all 50 states, and includes

a real-time stock market simulation and hundreds of lesson plans and activities designed and tested by SIFE students; and the "Building for Tomorrow" program which began as pen-pal relationships with at-risk middle school students in Laredo, Texas, and culminated with a visit to Laredo to conduct a three-day educational program built around the principles of free enterprise, ethical marketing, entrepreneurship, and a "mercado" in which 800 customers purchased products designed and produced by the middle school students; and

WHEREAS, after garnering a wealth of experience and knowledge throughout the school year, Drury University SIFE students attended the SIFE USA Championships at Bartle Hall in Kansas City where they competed against 111 four-year colleges and universities and took Top Honors for their multimedia presentation detailing their accomplishments of the year; and

WHEREAS, in their well-deserved role as SIFE USA Champion, the Drury University team represented their country at the inaugural SIFE World Cup event which was held in London, England, on July 11 through July 13, 2001, with teams from twenty-three nations competing and which added another First Place victory to the SIFE team's roster of successful activities:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously to applaud the impressive, groundbreaking achievements of the Students in Free Enterprise team fielded by Drury University during the 2000-2001 school year and to convey to all thirty-five students and their coach this legislative body's heartiest congratulations for taking First Place at the SIFE USA Championships and subsequently earning the SIFE World Cup in international competition; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in honor of the 2000-2001 Drury University Students in Free Enterprise team.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 155

through

House Resolution No. 159 - Representative Lawson

House Resolution No. 160 - Representative Rector

House Resolution No. 161 - Representative Boykins

House Resolution No. 162 - Representative Mayer

House Resolution No. 163 - Representative Behnen

## **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 12** was read the second time.

## **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 44** was read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 1701** through **HB 1742** were read the second time.

## COMMITTEE REPORT

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HB 1399** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF HOUSE BILL

**HS HB 1399**, relating to World War II Medals, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HS HB 1399** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Roark	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Bartelsmeyer	Dolan	Graham	Hoppe
Moore	Nordwald	Ridgeway	Robirds	Surface
Troupe	Walton			

VACANCIES: 004

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Reynolds	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Ward	Whorton	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Ballard	Bartelsmeyer	Cierpiot	Dolan	Graham
Hickey	Hilgemann	Hoppe	Linton	Long
Moore	Nordwald	O'Toole	Relford	Richardson
Ridgeway	Robirds	Surface	Troupe	Walton
Wilson 42				

VACANCIES: 004

### **REFERRAL OF HOUSE RESOLUTIONS**

The following House Resolutions were referred to the Committee indicated:

- HR 26** - Miscellaneous Bills & Resolutions
- HR 51** - Banks and Financial Institutions
- HR 67** - Miscellaneous Bills & Resolutions
- HR 124** - Miscellaneous Bills & Resolutions
- HR 136** - Miscellaneous Bills & Resolutions
- HR 137** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 9** - Social Services, Medicaid and the Elderly
- HCR 10** - Commerce and Economic Development

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 1401** - Education-Elementary and Secondary
- HB 1402** - Utilities Regulation
- HB 1403** - Labor
- HB 1404** - Fiscal Review and Government Reform
- HB 1406** - Education-Higher
- HB 1409** - Professional Registration and Licensing
- HB 1411** - Motor Vehicle and Traffic Regulations
- HB 1412** - Motor Vehicle and Traffic Regulations
- HB 1413** - Correctional and State Institutions
- HB 1414** - Professional Registration and Licensing
- HB 1416** - Motor Vehicle and Traffic Regulations
- HB 1418** - Conservation, State Parks and Mining
- HB 1421** - Miscellaneous Bills & Resolutions
- HB 1422** - Critical Issues, Consumer Protection and Housing
- HB 1425** - Civil and Administrative Law
- HB 1426** - Retirement
- HB 1427** - Labor
- HB 1428** - Judiciary
- HB 1430** - Criminal Law
- HB 1432** - Miscellaneous Bills & Resolutions
- HB 1433** - Criminal Law
- HB 1434** - Judiciary
- HB 1436** - Correctional and State Institutions

**HB 1438** - Motor Vehicle and Traffic Regulations  
**HB 1439** - Agriculture  
**HB 1441** - Education-Higher  
**HB 1442** - Transportation  
**HB 1444** - Children, Families and Health  
**HB 1445** - Civil and Administrative Law  
**HB 1446** - Insurance  
**HB 1447** - Criminal Law  
**HB 1448** - Motor Vehicle and Traffic Regulations  
**HB 1450** - Labor  
**HB 1451** - Miscellaneous Bills & Resolutions  
**HB 1452** - Banks and Financial Institutions  
**HB 1453** - Retirement  
**HB 1454** - Civil and Administrative Law  
**HB 1455** - Retirement  
**HB 1456** - Civil and Administrative Law  
**HB 1457** - Local Government and Related Matters  
**HB 1459** - Agriculture  
**HB 1464** - Motor Vehicle and Traffic Regulations  
**HB 1468** - Insurance  
**HB 1469** - Social Services, Medicaid and the Elderly  
**HB 1470** - Elections  
**HB 1471** - Civil and Administrative Law  
**HB 1472** - Environment and Energy  
**HB 1473** - Insurance  
**HB 1475** - Fiscal Review and Government Reform  
**HB 1476** - Local Government and Related Matters  
**HB 1477** - Education-Higher  
**HB 1478** - Motor Vehicle and Traffic Regulations  
**HB 1481** - Children, Families and Health  
**HB 1482** - Utilities Regulation  
**HB 1483** - Criminal Law  
**HB 1485** - Social Services, Medicaid and the Elderly  
**HB 1487** - Fiscal Review and Government Reform  
**HB 1488** - Urban Affairs  
**HB 1489** - Criminal Law  
**HB 1490** - Criminal Law  
**HB 1491** - Education-Higher  
**HB 1492** - Elections  
**HB 1494** - Elections  
**HB 1495** - Elections  
**HB 1496** - Miscellaneous Bills & Resolutions  
**HB 1499** - Fiscal Review and Government Reform  
**HB 1500** - Utilities Regulation  
**HB 1502** - Insurance

**HB 1532** - Local Government and Related Matters  
**HB 1584** - Transportation  
**HB 1625** - Education-Elementary and Secondary  
**HB 1656** - Judiciary  
**HB 1711** - Budget

### **COMMITTEE REPORTS**

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1151**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1154**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 13**, introduced by Representative Bowman, et al, relating to the Temporary Assistance for Needy Families program.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 45**, introduced by Representative Hollingsworth, relating to gubernatorial appointments.

### **INTRODUCTION OF HOUSE BILL - APPROPRIATIONS**

The following House Bill was read the first time and copies ordered printed:

**HB 1115**, introduced by Representative Green (73), to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2002.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1743**, introduced by Representatives Shoemyer (9), Holand, Nordwald, Behnen, Hegeman and Shields, et al, relating to using lasers for dentistry.



**HB 1744**, introduced by Representatives Abel, Ostmann, Fraser and Franklin, et al, relating to a moratorium on new billboard construction.

**HB 1745**, introduced by Representative Koller, relating to a memorial highway.

**HB 1746**, introduced by Representative Koller, relating to electric personal assistive mobility devices.

**HB 1747**, introduced by Representatives Kelly (27) and Carnahan, relating to mental health treatment and care of children.

**HB 1748**, introduced by Representatives Ransdall, Mayer, Myers, Phillips, Townley, Lawson and Hampton, et al, relating to drinking water primacy fees.

**HB 1749**, introduced by Representatives Monaco, Hosmer, Wright, Champion, Willoughby, Britt and Johnson (90), et al, relating to certain sexual offenses.

**HB 1750**, introduced by Representatives Lawson, Clayton, Moore, Luetkenhaus, Myers, Walton, Merideth, Whorton, Hohulin, Hunter, Selby and Shields, et al, relating to fuels offered for sale.

**HB 1751**, introduced by Representatives Lawson, Berkstresser, Clayton, Whorton, Berkowitz, Robirds, Overschmidt, McKenna, Shields, Moore, Kelly (27) and Villa, et al, relating to the tourism supplemental revenue fund.

**HB 1752**, introduced by Representative Graham, relating to the regulation of stretcher vans.

**HB 1753**, introduced by Representatives Gratz, Whorton and Shoemaker (8), relating to small businesses.

**HB 1754**, introduced by Representatives Gratz, Richardson, Whorton, Hampton and Shoemaker (8), relating to the environmental regulations consistency act.

**HB 1755**, introduced by Representatives Merideth, Robirds and Overschmidt, relating to special license plates.

**HB 1756**, introduced by Representatives Reid, Hosmer, Holt, Britt, Mayer and Luetkenhaus, et al, relating to sexual offenders.

**HB 1757**, introduced by Representatives George, Lograsso and Hoppe, relating to Sunday liquor sales by the drink by establishments within an international airport.

**HB 1758**, introduced by Representatives Jolly, Monaco, Hosmer, Britt and Harding, relating to canine certification and training.

**HB 1759**, introduced by Representatives Jolly, Britt, Campbell, Lowe, Boucher, Wilson (42), Bland, Harding, Curls, Monaco and Copenhagen, et al, relating to insufficient funds checks.

**HB 1760**, introduced by Representatives Mayer, Richardson, Bartle, Hosmer, Britt, Hunter and Merideth, relating to stealing.

**HB 1761**, introduced by Representative Gaskill, relating to classification of counties.

**HB 1762**, introduced by Representatives Harding, Boykins, Lowe, Barry, Merideth, Kelly (27), Bland and Jolly, et al, relating to protection of privacy for credit cardholders.

**HB 1763**, introduced by Representatives Campbell and Copenhagen, relating to regulations of mobile telephone use by operators of motor vehicles.

**HB 1764**, introduced by Representatives Dempsey and Crowell, relating to terrorism.

**HB 1765**, introduced by Representative Bray, relating to simplified sales and use tax administration.

**HB 1766**, introduced by Representatives Monaco, Boucher, Rizzo, Riback Wilson (25), Troupe, Bray and Hilgemann, et al, relating to judicial sentencing.

**HB 1767**, introduced by Representatives Crawford, Moore, Hunter, Cunningham, Quinn, Holt, Rector, Holand, Crowell, Shoemaker (8), Froelker, Bartelsmeyer, Berkstresser, Behnen, Robirds, King, Merideth, Myers, Cooper and Black, relating to payroll deductions.

**HB 1768**, introduced by Representatives Hosmer and Smith, et al, relating to liens of a judgement or decree on real estate.

**HB 1769**, introduced by Representative Hoppe, relating to nuisance abatement.

**HB 1770**, introduced by Representative Townley, relating to confidentiality of mental health records.

**HB 1771**, introduced by Representatives Barry and Reid, relating to emergencies.

**HB 1772**, introduced by Representatives Clayton, Dempsey and Byrd, relating to motor vehicle agency fees.

**HB 1773**, introduced by Representatives Shelton and Carnahan, relating to the police force in certain cities.

**HB 1774**, introduced by Representatives Crawford, Moore, Hunter, Quinn, Holt, Hegeman, Shoemaker (8), Barry, Reinhart, Bartelsmeyer, Berkstresser, Daus, Robirds, King, Cooper and Black, relating to overtime pay for state employees.

## **WITHDRAWAL OF HOUSE BILL**

January 31, 2002

Mr. Ted Wedel  
Chief Clerk of the House  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

I request that **HJR 44** (proposing a constitutional amendment guaranteeing the right to hunt, fish, and harvest game) be withdrawn today.

Sincerely,

/s/ Nancy Copenhaver  
State Representative  
District 22

The following members' presence was noted: Hoppe, Nordwald, Troupe and Robirds.

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, February 4, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Thirteenth Day, Wednesday, January 30, 2002, page 166, by deleting line 6.

## **COMMITTEE MEETINGS**

### **AGRICULTURE - SUBCOMMITTEE NUMBER THREE**

Wednesday, February 6, 2002, 8:00 a.m. Hearing Room 1.  
Representative from the Department of Agriculture.  
Grant funding and use of present programs.

### **APPROPRIATIONS - EDUCATION**

Monday, February 4, 2002, 1:00 p.m. Hearing Room 1.  
Continuation of Colleges, Universities, Community Colleges.  
University of MO Public testimony. AMENDED.  
CANCELLED.

APPROPRIATIONS - EDUCATION

Tuesday, February 5, 2002. Hearing Room 1 upon adjournment.  
University of MO, Southeast MO, MO Southern, Community Colleges.  
Public testimony. AMENDED.

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued. CANCELLED.

APPROPRIATIONS - EDUCATION

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.  
Mark-up continued. CANCELLED.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 4, 2002, 1:00 p.m. Hearing Room 7.  
Office of Administration

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 4, 2002, 1:30 p.m. Hearing Room 6.  
Mark-up. CANCELLED.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 5, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 6, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 4, 2002, 12:30 p.m. Hearing Room 5.  
Mark-up.  
Departments of Insurance, Conservation and Agriculture.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 5, 2002. Hearing Room 5 upon adjournment.  
Mark-up.  
Department of Economic Development and the Department of Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 6, 2002. Hearing Room 5 upon adjournment.  
Mark-up.  
Department of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 5, 2002. Hearing Room 3 upon adjournment.  
Department of Social Services. Public testimony.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 6, 2002. Hearing Room 3 upon adjournment.  
Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Monday, February 4, 2002, 2:00 p.m. Hearing Room 4.  
Budget.

APPROPRIATIONS - TRANSPORTATION

Tuesday, February 5, 2002. Hearing Room 7 upon morning adjournment.  
Public testimony.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 7.  
Public testimony.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 7.  
Public testimony.

BUDGET

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 3.  
To be considered - HB 1115

BUDGET

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 3.  
Presentation by Private Sector Commission to report on Missouri budgetary process.

BUDGET

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 3.  
To be considered - HB 1115

CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 4.  
Executive Session will follow.  
To be considered - HB 1082, HB 1198, HB 1208

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 6.  
To be considered - HB 1370, HB 1376, HB 1377, HB 1395

CONSERVATION, STATE PARKS AND MINING

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 1. AMENDED.

Executive Session may follow.

To be considered - HB 1100, HB 1134, HB 1559

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 5, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1078, HB 1594, HCR 3

CRIMINAL LAW

Wednesday, February 6, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1161, HB 1225, HB 1298, HB 1299, HB 1302, HB 1312, HB 1329, HB 1331

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 4, 2002, 8:00 p.m. Hearing Room 3.

To be considered - HB 1440

ELECTIONS

Tuesday, February 5, 2002, 7:30 p.m. Hearing Room 5. AMENDED.

Executive Session will follow.

To be considered - HB 1326, HB 1328, HB 1332, HB 1342

ENVIRONMENT AND ENERGY

Monday, February 4, 2002. Side gallery upon adjournment.

To be considered - Executive Session - HB 1149

JUDICIARY

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1055, HB 1139, HB 1244, HB 1434

LABOR

Tuesday, February 5, 2002, 5:30 p.m. Hearing Room 3.

To be considered - HB 1318, HB 1592, Executive Session - HB 1054

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 1.

To be considered - HB 1159, HB 1242, HB 1307, HB 1308, HB 1320, HB 1343, HB 1391, HB 1397

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1373, HB 1398

**WAYS AND MEANS**

Tuesday, February 5, 2002. Hearing Room 2 upon morning adjournment.

Executive Session prior to hearing.

To be considered - HB 1178, HB 1180, HB 1372

**HOUSE CALENDAR**

FIFTEENTH DAY, MONDAY, FEBRUARY 4, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 13

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 45

**HOUSE BILLS FOR SECOND READING**

HB 1743 through HB 1774

**HOUSE BILL FOR SECOND READING - APPROPRIATIONS**

HB 1115

**HOUSE BILL FOR PERFECTION**

HCS HB 1154 - Smith

**HOUSE BILLS FOR PERFECTION - CONSENT**

(January 30, 2002)

1     HB 1519 - Boucher

2     HB 1192 - Harding

(February 4, 2002)

HB 1151 - Smith

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTEENTH DAY, MONDAY, FEBRUARY 4, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Lord, we are distressed that our St. Louis Rams did not come home victors, despite their bravest of efforts. As important as that game might be to our state's self-esteem, remind us that life is more than sport. Confer a blessing on these representatives. Aid them to continue on the playing field of elective office following the rules of fair-play and self-respect. Keep their minds and hearts on the many goal posts - liberty, personal dignity, life, democracy, justice, and so forth.

So may all the state of Missouri and its many citizens be winners today and always. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa



Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 012

Boykins	Carnahan	Clayton	Crump	Graham
Hickey	Hollingsworth	Hoppe	Long	Nordwald
O'Toole	Van Zandt			

VACANCIES: 004

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 164   -   Representative Selby  
House Resolution No. 165   -   Representative Mayer  
House Resolution No. 166   -   Representative Ross

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 13** was read the second time.

### **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 45** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1743** through **HB 1774** were read the second time.

### **SECOND READING OF HOUSE BILL - APPROPRIATIONS**

**HB 1115** was read the second time.

### **REFERRAL OF HOUSE BILL - APPROPRIATIONS**

The following House Bill was referred to the Committee indicated:

**HB 1115**   -   Budget

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1530** - Local Government and Related Matters  
**HB 1570** - Transportation  
**HB 1577** - Criminal Law  
**HB 1676** - Banks and Financial Institutions  
**HB 1723** - Professional Registration and Licensing  
**HB 1745** - Transportation

## **COMMITTEE REPORT**

**Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SBs 727 & 703**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## **INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were read the first time and copies ordered printed:

**HB 1101**, introduced by Representative Green (73), to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1106**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1111**, introduced by Representative Green (73), to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1114**, introduced by Representative Green (73), to appropriate money for the expenses, grants, and distributions of the Department of Elementary and Secondary Education, Department of Transportation, Department of Mental Health, Department of Health and Senior Services, and Department of Social Services, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri beginning July 1, 2002 and ending June 30, 2003.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1775**, introduced by Representatives Shoemaker (8), Behnen, Quinn, Relford, Clayton, Dolan and Myers, et al, relating to transportation.

**HB 1776**, introduced by Representative Harlan, relating to county recorders of deeds.

**HB 1777**, introduced by Representatives Johnson (61) and Legan, relating to public order.

**HB 1778**, introduced by Representative Monaco, relating to special license plates.

**HB 1779**, introduced by Representative Green (73), relating to special license plates.

**HB 1780**, introduced by Representative Green (73), relating to federal national medical support notice requirements.

**HB 1781**, introduced by Representatives Green (73) and Ladd Baker, relating to the nursing facility reimbursement allowance.

**HB 1782**, introduced by Representative Shoemyer (9), relating to rural water grants.

**HB 1783**, introduced by Representatives Lowe and Moore, et al, relating to the deaf and hard of hearing.

**HB 1784**, introduced by Representatives Lowe, Moore and George, et al, relating to American Sign Language.

**HB 1785**, introduced by Representatives Liese and Hanaway, relating to income tax exemption for qualified education savings.

**HB 1786**, introduced by Representative Liese, relating to licensing requirements for certain motor vehicles.

**HB 1787**, introduced by Representative Treadway, relating to the inspections of funeral establishments.

### **COMMITTEE CHANGE**

The Speaker submitted the following Committee change:

Representative Hendrickson has been appointed a member of the Civil and Administrative Law Committee.

### **WITHDRAWAL OF HOUSE BILL**

February 4, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

I request that **HB 1583** (relating to special license plates) be withdrawn today.

Thank you for your kind attention to this request.

Sincerely,

/s/ Ralph A. Monaco  
Representative  
District 49

The following members' presence was noted: Hickey, Nordwald, O'Toole and Hoppe.

### **ADJOURNMENT**

On motion of Representative Berkowitz, the House adjourned until 10:00 a.m., Tuesday, February 5, 2002.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 7.

To be considered - HB 1439, HB 1459, Executive Session - HB 1240, Executive Session - HB 1348

#### **AGRICULTURE - SUBCOMMITTEE NUMBER THREE**

Wednesday, February 6, 2002, 8:00 a.m. Hearing Room 1.

Representative from the Department of Agriculture.

Grant funding and use of present programs.

APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Tuesday, February 5, 2002, 5:30 p.m. Hearing Room 1.

Department of Public Safety.

APPROPRIATIONS - EDUCATION

Tuesday, February 5, 2002. Hearing Room 1 upon adjournment.

University of MO, Southeast MO, MO Southern, Community Colleges.

Public testimony. AMENDED.

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2002. Hearing Room 1 upon adjournment.

Mark-up continued. CANCELLED.

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2002, 1:00 p.m. Hearing Room 1.

School Foundation Formula.

To be considered - HB 1711

APPROPRIATIONS - EDUCATION

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.

Mark-up continued. CANCELLED.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 7.

Judiciary, Public Defender.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 5, 2002, 6:00 p.m. House Lounge.

Governor, Lt. Governor, Treasurer.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 5, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.

Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 6, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.

Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 5, 2002. Hearing Room 5. CANCELLED.

Mark-up.

Department of Economic Development and the Department of Labor and Industrial Relations.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, February 6, 2002. Hearing Room 5 upon adjournment.

Mark-up.

Department of Natural Resources. CANCELLED.

**APPROPRIATIONS - SOCIAL SERVICES**

Tuesday, February 5, 2002. Hearing Room 3 upon adjournment.

Department of Social Services. Public testimony.

**APPROPRIATIONS - SOCIAL SERVICES**

Wednesday, February 6, 2002. Hearing Room 3 upon adjournment.

Department of Social Services.

**APPROPRIATIONS - TRANSPORTATION**

Tuesday, February 5, 2002. Hearing Room 7 upon morning adjournment.

Public testimony.

**APPROPRIATIONS - TRANSPORTATION**

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 7.

Public testimony.

**APPROPRIATIONS - TRANSPORTATION**

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 7.

Public testimony.

**BUDGET**

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 3.

To be considered - HB 1115

**BUDGET**

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 3.

Presentation by Private Sector Commission to report on Missouri budgetary process.

**BUDGET**

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 3.

To be considered - HB 1115

**CHILDREN, FAMILIES, AND HEALTH**

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 4.

Executive Session will follow.

To be considered - HB 1082, HB 1198, HB 1208

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 1.

Executive Session to follow.

To be considered - HB 1425, HB 1445

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 6.

To be considered - HB 1370, HB 1376, HB 1377, HB 1395

CONSERVATION, STATE PARKS AND MINING

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 1. AMENDED.

Executive Session may follow.

To be considered - HB 1100, HB 1134, HB 1418, HB 1559

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 5, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow. AMENDED.

To be considered - HB 1078, HB 1594, HCR 3

CRIMINAL LAW

Wednesday, February 6, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1161, HB 1225, HB 1298, HB 1299, HB 1302, HB 1312, HB 1329, HB 1331

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 3.

Executive Session may follow on HJR 32.

To be considered - HB 1356, HB 1392, HB 1625

EDUCATION - HIGHER

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 5.

Possible Executive Session.

To be considered - HB 1086, HB 1351, HB 1406, HB 1441, HB 1477, HB 1491

ELECTIONS

Tuesday, February 5, 2002, 7:30 p.m. Hearing Room 5. AMENDED.

Executive Session will follow.

To be considered - HB 1326, HB 1328, HB 1332, HB 1342

INSURANCE

Tuesday, February 5, 2002, 5:00 p.m. HEARING RM. 5

To be considered - HB 1215, HB 1289, HB 1293, HB 1304, HB 1375, HB 1381

JUDICIARY

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1055, HB 1139, HB 1244, HB 1434

LABOR

Tuesday, February 5, 2002, 5:30 p.m. Hearing Room 3. AMENDED.  
To be considered - HB 1403, HB 1592, Executive Session - HB 1054

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 7.  
Executive Session may follow. AMENDED.  
To be considered - HB 1476, HB 1530, HB 1532

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 6.  
To be considered - HB 1311, HB 1421, HB 1432, HB 1451, HCR 4, HCR 6

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 5, 2002, 3:00 p.m. Hearing Room 1.  
To be considered - HB 1159, HB 1242, HB 1307, HB 1308, HB 1320, HB 1343, HB 1391, HB 1397

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 6, 2002, 5:00 p.m. Hearing Room 5.  
To be considered - HB 1090, HB 1255, HB 1313, HB 1378

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 5, 2002, 8:30 a.m. Hearing Room 6.  
Executive Session may follow. AMENDED.  
To be considered - HB 1398

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, February 5, 2002, 7:30 p.m. Hearing Room 6. AMENDED.  
To be considered - HB 1309, HB 1360, HB 1362, HB 1374, HB 1654, Executive Session - HB 1479

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Wednesday, February 6, 2002. Upon morning adjournment. Hearing Room 4.  
To be considered - HB 1344

SUBCOMMITTEE ON LEGISLATIVE RESEARCH PERSONNEL

Wednesday, February 6, 2002, 1:15 p.m. Senator Rohrbach's Office - Room 221.  
Closed meeting within the meaning of Chapter 610, RSMo.

TRANSPORTATION

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 6.  
To be considered - HB 1389, HB 1570, HB 1584

UTILITIES REGULATION

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 5. AMENDED.  
To be considered - HB 1388, HB 1402



**WAYS AND MEANS**

Tuesday, February 5, 2002. Hearing Room 2 upon morning adjournment.

Executive Session prior to hearing.

To be considered - HB 1178, HB 1180, HB 1372

**HOUSE CALENDAR**

SIXTEENTH DAY, TUESDAY, FEBRUARY 5, 2002

**HOUSE BILLS FOR SECOND READING**

HB 1775 through HB 1787

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

- 1 HB 1101
- 2 HB 1106
- 3 HB 1111
- 4 HB 1114

**HOUSE BILL FOR PERFECTION**

HCS HB 1154 - Smith

**HOUSE BILLS FOR PERFECTION - CONSENT**

(January 30, 2002)

- 1 HB 1519 - Boucher
- 2 HB 1192 - Harding

(February 4, 2002)

HB 1151 - Smith

**SENATE BILL FOR THIRD READING**

SCS SB 727 & 703, E.C. - O'Connor

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTEENTH DAY, TUESDAY, FEBRUARY 5, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God, You create us in such a range of diversity. Yet our bodies have such similar needs, as do our souls. Continue to invite us to co-create, with You, a new and even better order. Help our judgement know that each human person can fit into the harmony and prosperity of the social fabric of our state.

We count on Your presence again today in all the rooms of our state Capitol here, and perhaps more significantly in those accommodations within the minds and hearts of these representatives. May they have great wisdom, inner direction, and the courage of their convictions. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Cam Branson, Eric Eubank, Erika White, Ryan White, Kayla Henderson, Bryce Sullens, Brooke Sullens, Erin Rademan, Jordan Imhoff, Morgan Nacy, Kayla Sappington, Kylie Werner, Heather Werner, Leslie Werner, Jessica Champlain, Anthony Lombardo, Hannah Valeu, Robert Lofton, Brian Neumann, Tyler Neumann, Taylor Kusmanoff and Kayla Capuano.

The Journal of the fifteenth day was approved as printed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna

Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Hohulin	Hunter	Lograsso	Shoemaker
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PRESENT: 000

ABSENT WITH LEAVE: 002

Hollingsworth	Long
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VACANCIES: 004

## RESOLUTION

**House Resolution No. 161** was taken up by Representative Boykins and read.

### HOUSE RESOLUTION NO. 161

WHEREAS, the members of the Missouri House of Representatives hold in high esteem those Show-Me State residents who have admirably utilized their artistic abilities and their community-oriented vision to spark a heightened sense of awareness in students for the importance of education and preparation for the future; and

WHEREAS, the St. Lunatics rap group of St. Louis is composed of Nelly, Ali, Kyjuan, Murphy Lee, and Slo-Down; and

WHEREAS, increasingly known locally and throughout the state advocating the importance of education, the St. Lunatics have entered the fray for educational excellence by challenging Missouri students to prepare for and to take the state's MAP exams which are intended to measure successful academic performance at all teaching levels and in all school districts; and

WHEREAS, the five St. Lunatics have courageously agreed to play a game of basketball against the team of any school where a large percentage of the students have taken the required MAP exams; and

WHEREAS, this tremendously successful ploy on the part of the nationally famous and much beloved St. Louis hip-hop group is coupled with area school district requirements that only students who have taken MAP tests are allowed into extracurricular athletic contests as either participants or observers; and

WHEREAS, St. Lunatics' achievements as advocates of education are second only to the cultural and commercial successes the group has enjoyed with their single, "Gimme What Ya Got"; their debut disc, Free City, with its immediately popular recordings of "Midwest Swing", "Groovin Tonight", and "Let Me In Now"; and Nelly's multi-platinum debut, Country Grammar, which featured contributions by St. Lunatics colleagues, the Teamsters, Lil' Wayne, and Cedric the Entertainer:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously to applaud the significant efforts undertaken by the members of St. Lunatics to improve the percentage of students taking the state's MAP academic performance tests and to convey to each of the rappers our heartiest congratulations for the effectiveness of their student challenge and our sincerest best wishes for success on the basketball court against area varsity teams; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in honor of the St. Lunatics rap group and its members' role as true advocates of education in Missouri.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 167 - Representative Burton  
House Resolution No. 168 - Representative Selby  
House Resolution No. 169 - Representative Kreider  
House Resolution No. 170  
and  
House Resolution No. 171 - Representative Fares  
House Resolution No. 172 - Representative Hendrickson  
House Resolution No. 173 - Representative Thompson  
House Resolution No. 174 - Representative Hosmer  
House Resolution No. 175 - Representative Smith

### **SECOND READING OF HOUSE BILLS - APPROPRIATIONS**

**HB 1101, HB 1106, HB 1111 and HB 1114** were read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1775** through **HB 1787** were read the second time.

### **PERFECTION OF HOUSE BILL**

**HCS HB 1154**, relating to juvenile court, was taken up by Representative Smith.

On motion of Representative Smith, **HCS HB 1154** was adopted.

On motion of Representative Smith, **HCS HB 1154** was ordered perfected and printed.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the first time and copies ordered printed:

**HCR 14**, introduced by Representative Townley, et al, relating to the crime of unlawful genetic engineering of humans.

**HCR 15**, introduced by Representative O'Toole, et al, urging Congress to enact Senate Bill 1838, the "Pension Protection and Diversification Act of 2001".

### **INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were read the first time and copies ordered printed:

**HB 1107**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1109**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1110**, introduced by Representative Green (73), relating to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee and the Commission for the Senior Rx Program to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1788**, introduced by Representatives Ross, O'Connor and Barnett, relating to special license plates.

**HB 1789**, introduced by Representatives Ross, O'Connor and Barnett, relating to special license plates.

**HB 1790**, introduced by Representatives Reid, Holt, Phillips, Davis, Luetkenhaus, Hunter, Merideth, Reinhart, George, Gambaro, Gaskill, Hendrickson, Enz, Hartzler, Treadway, Quinn, Cooper, Kelley (47), Murphy, Bearden, Liese, Shoemyer (9), Mayer, Portwood, Rector, O'Connor, Wagner, Linton, Richardson, Secrest, Naeger, Griesheimer, Nordwald, Scott, Legan, Bland, Wright and Shoemaker (8), relating to the crime of unlawful genetic engineering of humans.

**HB 1791**, introduced by Representative Luetkenhaus, relating to health carrier network adequacy.

**HB 1792**, introduced by Representative Luetkenhaus, relating to certification procedures of certain health carriers.

**HB 1793**, introduced by Representative Shields, relating to school funds.

**HB 1794**, introduced by Representatives Legan, Barnitz, Black, Berkowitz, Myers, King and Richardson, relating to animal research and production facilities.

**HB 1795**, introduced by Representatives Berkowitz, Overschmidt and Smith, to authorize the conveyance of property owned by the state and controlled by the department of natural resources.

**HB 1796**, introduced by Representative Crump, relating to the nurse licensure compact.

**HB 1797**, introduced by Representatives Hilgemann, Scheve, Bray and Van Zandt, relating to investment policy of the state treasurer.

**HB 1798**, introduced by Representatives Hilgemann, Scheve, Abel, Bray and Van Zandt, relating to senior citizen homestead deferral of taxes.

**HB 1799**, introduced by Representatives Burton, Thompson, Shields, Walton, Troupe, Bowman, Kelly (27), Fraser, Surface, Haywood, Hunter and Gaskill, relating to names of state colleges.

**HB 1800**, introduced by Representatives Secrest, Hanaway, Scott, St. Onge, Ross, Bartle, Hunter, Burton, Marble and Behnen, et al, relating to workers' compensation.

**HB 1801**, introduced by Representatives Gambaro, Moore, Froelker, Richardson, Kelley (47) and Crawford, et al, relating to the prohibition of interference with the free exercise of religion absent a compelling state interest.

**HB 1802**, introduced by Representatives Smith and Hosmer, relating to administrative hearing procedures.

**HB 1803**, introduced by Representative Green (73), relating to the credit union commission.

**HB 1804**, introduced by Representatives Harding, Jolly, Boucher, Lowe, Bray, Copenhaver, Curls, Wilson (42) and Sanders Brooks, et al, relating to merchandising practices.

**HB 1805**, introduced by Representatives Ransdall, Berkstresser and Graham, relating to casket retailers.

**HB 1806**, introduced by Representatives Shelton, Koller and Foley, relating to the transportation of hazardous materials through highway tunnels.

**HB 1807**, introduced by Representative Hoppe, relating to sewer districts.

**HB 1808**, introduced by Representative Holand, relating to the state board of registration for the healing arts.

**HB 1809**, introduced by Representatives Sanders Brooks, Wilson (42), Bland, Villa and Shelton, et al, relating to recall elections for certain school board members.

**HB 1810**, introduced by Representatives Holt, Luetkenhaus, Dempsey and Dolan, et al, relating to grants from the department of natural resources for recycling.

The following member's presence was noted: Long.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 6, 2002.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 7.

To be considered - HB 1439, HB 1459, Executive Session - HB 1240, Executive Session - HB 1348

#### **AGRICULTURE - SUBCOMMITTEE NUMBER THREE**

Wednesday, February 6, 2002, 8:00 a.m. Hearing Room 1.

Representative from the Department of Agriculture.

Grant funding and use of present programs.

#### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, February 6, 2002, 5:30 p.m. Hearing Room 1.

Public Safety and the Department of Corrections.

#### **APPROPRIATIONS - EDUCATION**

Wednesday, February 6, 2002. Hearing Room 1 upon adjournment.

Mark-up continued. CANCELLED.

#### **APPROPRIATIONS - EDUCATION**

Wednesday, February 6, 2002, 1:00 p.m. Hearing Room 1.

School Foundation Formula.

To be considered - HB 1711

#### **APPROPRIATIONS - EDUCATION**

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.

Mark-up continued. CANCELLED.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 6, 2002. Hearing Room 7 upon adjournment.  
Secretary of State, Treasurer, Auditor and Attorney General.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 6, 2002. Hearing Room 6 upon adjournment or 11:00 a.m.  
Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 6, 2002. Hearing Room 5 upon adjournment.  
Mark-up.  
Department of Natural Resources. CANCELLED.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 6, 2002. Hearing Room 3 upon adjournment.  
Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 7.  
Public testimony.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 7.  
Public testimony.

BUDGET

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 3.  
Presentation by Private Sector Commission to report on Missouri budgetary process.

BUDGET

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 3.  
To be considered - HB 1115

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 1.  
Executive Session to follow.  
To be considered - HB 1425, HB 1445

CRIMINAL LAW

Wednesday, February 6, 2002, 8:00 p.m. Hearing Room 7. AMENDED.  
To be considered - HB 1161, HB 1225, HB 1298, HB 1299, HB 1302, HB 1312, HB 1329, HB 1331,  
HB 1489



**CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Wednesday, February 6, 2002, 9:00 a.m. Hearing Room 4.

Executive Session.

**EDUCATION - HIGHER**

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 5. AMENDED

Possible Executive Session.

To be considered - HB 1086, HB 1131, HB 1351, HB 1406, HB 1441, HB 1477, HB 1491

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 6. AMENDED.

Executive Session to follow.

To be considered - HB 1311, HB 1421, HB 1432, HB 1451, HCR 4, HCR 6

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, February 6, 2002, 5:00 p.m. Hearing Room 5. AMENDED.

To be considered - HB 1090, HB 1255, HB 1378, HB 1723

**SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Wednesday, February 6, 2002. Upon morning adjournment, Hearing Room 4.

To be considered - HB 1344

**SUBCOMMITTEE ON LEGISLATIVE RESEARCH PERSONNEL**

Wednesday, February 6, 2002, 1:15 p.m. Senator Rohrbach's Office - Room 221.

Closed meeting within the meaning of Chapter 610, RSMo

**TRANSPORTATION**

Wednesday, February 6, 2002, 3:00 p.m. Hearing Room 6.

To be considered - HB 1389, HB 1570, HB 1584

**UTILITIES REGULATION**

Wednesday, February 6, 2002, 8:30 a.m. Hearing Room 5. AMENDED.

To be considered - HB 1388, HB 1402

**HOUSE CALENDAR**

SEVENTEENTH DAY, WEDNESDAY, FEBRUARY 6, 2002

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

1 HCR 14

2 HCR 15

**HOUSE BILLS FOR SECOND READING**

HB 1788 through HB 1810

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

- 1 HB 1107
- 2 HB 1109
- 3 HB 1110

**HOUSE BILLS FOR PERFECTION - CONSENT**

(January 30, 2002)

- 1 HB 1519 - Boucher
- 2 HB 1192 - Harding

(February 4, 2002)

HB 1151 - Smith

**SENATE BILL FOR THIRD READING**

SCS SB 727 & 703, E.C. - O'Connor

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SEVENTEENTH DAY, WEDNESDAY, FEBRUARY 6, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Merciful God, as these representatives gather today, bless them with a great portion of inner peace, wisdom, and emotional strength to do, in the best way they can, what they have been elected to do. Let them think for a moment of the constituents back in their home districts, the men and women on farms, in village, town, and city who chose these good people as their best hope here in our legislature.

These chosen ask for the grace to preserve what needs saving back home, and strength to help change those things that in any way threaten life or liberty or the pursuit of happiness. So may they do. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 176 - Representative Hanaway  
House Resolution No. 177  
through  
House Resolution No. 184 - Representative Cooper  
House Resolution No. 185 - Representative Relford  
House Resolution No. 186 - Representative Kelly (144)  
House Resolution No. 187 - Representative King  
House Resolution No. 188 - Representative Reynolds, et al  
House Resolution No. 189  
and  
House Resolution No. 190 - Representative Crowell  
House Resolution No. 191 - Representative Gambaro  
House Resolution No. 192 - Representative Myers  
House Resolution No. 193 - Representative Liese  
House Resolution No. 194  
through  
House Resolution No. 198 - Representative Purgason

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 14** and **HCR 15** were read the second time.

## SECOND READING OF HOUSE BILLS - APPROPRIATIONS

**HB 1107**, **HB 1109** and **HB 1110** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1788** through **HB 1810** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules, and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1154**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## THIRD READING OF SENATE BILL

**SCS SBs 727 & 703**, relating to tinted windows, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **SCS SBs 727 & 703** was truly agreed to and finally passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller

Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Reynolds                      Troupe

PRESENT: 000

ABSENT WITH LEAVE: 003

Bartle                      Cooper                      Monaco

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley

Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartle	Brooks	Cooper	Hunter	Jetton
Lograsso	Monaco	Portwood	Reynolds	

VACANCIES: 004

### REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1408** - Sportsmanship, Safety and Firearms  
**HB 1435** - Sportsmanship, Safety and Firearms  
**HB 1505** - Professional Registration and Licensing  
**HB 1589** - Sportsmanship, Safety and Firearms  
**HB 1729** - Sportsmanship, Safety and Firearms  
**HB 1749** - Judiciary

### COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1192** and **HB 1519 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Conservation, State Parks and Mining**, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **HB 1134**, **HB 1100** and **HB 1559**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HJR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, American Sign Language (ASL) has been appropriately recognized by the Missouri General Assembly as "a fully developed, autonomous, unique, visual-gestural language with its own syntax, rhetoric, grammar and morphology" (Section 209.285, RSMo); and

WHEREAS, there are an estimated 546,000 persons in Missouri who are deaf or hard of hearing, of whom approximately 10,000 have American Sign Language (ASL) as their first or native language; and

WHEREAS, the Missouri General Assembly truly values the socio, cultural, ethnic, and linguistic diversity of its citizenry:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize American Sign Language as the first or native language of many of its deaf and hard of hearing citizens; and

BE IT FURTHER RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the Governor to establish by executive order an annual "Deaf Awareness Week" to be held in September of each year to coincide with the International Deaf Awareness Week, at which time the language, culture, and contributions of Missouri's deaf and hard of hearing citizens will be recognized; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Governor Bob Holden.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 6

WHEREAS, on September 11, 2001, terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, and a third into the Pentagon outside Washington, D.C.; and

WHEREAS, thousands of innocent Americans were killed or injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers and bystanders; and

WHEREAS, these attacks destroyed both towers of the World Trade Center, as well as adjacent buildings and, by targeting symbols of American strength and success, clearly were intended to intimidate our Nation and weaken its resolve;

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, First Extraordinary Session, the Senate concurring therein, recommend that Congress condemns in the strongest possible terms the terrorists who planned and carried out the September 11, 2001, attacks against the United States, as well as their sponsors; that we extend our deepest condolences to the victims of these heinous and cowardly attacks, as well as to their families, friends and loved ones; that the people of Missouri will stand united as

our Nation begins the process of recovering and rebuilding in the aftermath of these tragic acts; that we commend the heroic action of the rescue workers, volunteers, and State and local officials who responded to these tragic events with courage, determination, and skill; that we declare that these premeditated attacks struck not only at the people of America, but also at the symbols and structures of our economic and military strength, and that the United States is entitled to respond under international law; that we extend our thanks to those foreign leaders and individuals who have expressed solidarity with the United States in the aftermath of the attacks, and ask them to continue to stand with the United States in the war against international terrorism; that we commit to support increased resources in the war to eradicate terrorism; and that we support the determination of the President, in close consultation with Congress, to bring to justice and punish the perpetrators of these attacks as well as their sponsors; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for members of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, the horrific terrorist attacks of September 11, 2001, and the subsequent anthrax outbreak have had a profound affect on federal and state governments and constituencies; and

WHEREAS, the General Assembly of the State of Missouri is aware that most public health departments do not have the financial resources to respond to an event of the magnitude of this disaster; and

WHEREAS, many state budgets are in a deficit situation, with cuts occurring in public health; and

WHEREAS, the General Assembly of the State of Missouri recognizes that the communication and coordination between federal, state, and local health departments and governments must be improved to provide preparation, response, and continuum of care when handling an emergency situation:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby request the United States Congress and the Department of Health and Human Services to provide financial support for each state, particularly at the local health district level which would likely be the line of first response in the event of an act of bioterrorism; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, and the Secretary of the Department of Health and Human Services.

**Committee on Ways and Means**, Chairman Hilgemann reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1150**, **HB 1237** and **HB 1327**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.



## INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

**HB 1105**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1811**, introduced by Representative Gambaro, to authorize the governor to convey certain described property in the City of St. Louis.

**HB 1812**, introduced by Representative Riback Wilson (25), relating to the health document services fund.

**HB 1813**, introduced by Representatives Monaco and Johnson (90), et al, relating to duties of the state auditor in validating certain bonds.

**HB 1814**, introduced by Representatives Monaco and Johnson (90), et al, relating to orders of protection.

**HB 1815**, introduced by Representative Scheve, relating to special license plates.

**HB 1816**, introduced by Representative Selby, relating to the fire education fund.

**HB 1817**, introduced by Representatives Franklin, Relford, Kreider, Shoemyer (9), Berkowitz, Kelly (27), Smith, Holand and Whorton, et al, relating to accountability for priority and performance schools.

**HB 1818**, introduced by Representative Hegeman, relating to public retirement systems.

**HB 1819**, introduced by Representative Scott, relating to revenues generated by moving traffic violations.

**HB 1820**, introduced by Representatives Phillips and Harding, relating to transient guest taxes.

**HB 1821**, introduced by Representatives Smith and Hunter, et al, relating to insurance underwriting.

**HB 1822**, introduced by Representatives Walton, Green (15), Dolan, Britt, Johnson (90), Ross, Abel and Ransdall, et al, relating to leave of absences to perform military duty.

**HB 1823**, introduced by Representatives Franklin, Hagan-Harrell, O'Toole and Skaggs, relating to public retirement systems.

**HB 1824**, introduced by Representatives Boucher, Monaco and Relford, relating to the release of probation documents.

**HB 1825**, introduced by Representatives Merideth, Myers, Britt, Jetton, Mayer, Richardson and Black, relating to the display of certain documents in public schools.

**HB 1826**, introduced by Representatives Hosmer, Britt, Smith, Marsh and Ross, relating to sexually violent predators.

**HB 1827**, introduced by Representative Cunningham, et al, relating to personal records with unique identifiers.

**HB 1828**, introduced by Representatives Cunningham and Hilgemann, et al, relating to competitive bids for various school projects.

**HB 1829**, introduced by Representatives Cunningham and Hendrickson, et al, relating to a joint committee on statutory review.

**HB 1830**, introduced by Representative Cunningham, et al, relating to statutory construction.

**HB 1831**, introduced by Representative Cunningham, et al, relating to the no-call list.

**HB 1832**, introduced by Representative Luetkemeyer, relating to law enforcement districts.

**HB 1833**, introduced by Representative Hendrickson, relating to property assessment.

**HB 1834**, introduced by Representatives Lowe, Green (15), George, Foley, Bland, Bowman and Selby, relating to testing of persons who expose providers to contagious or infectious disease.

**HB 1835**, introduced by Representative Treadway, relating to registered geologists.

#### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 1386 & 1038**.

Emergency clause adopted.

## WITHDRAWAL OF HOUSE RESOLUTION

February 6, 2002

Ms. Joan Branson  
Assistant Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65102

Dear Ms. Branson:

In January, 2002, I requested that a resolution be filed recognizing April 24<sup>th</sup> as a “Day of Remembrance of the Armenian Genocide.” I recently discovered that Representative Boucher from the 48<sup>th</sup> District has filed a resolution of remembrance of Armenian Genocide. Therefore, I would like to withdraw **House Resolution No. 67** which I filed in January.

Thank you for your assistance and patience in this matter. If you have any questions, please do not hesitate to contact me at 751-4835.

Sincerely,

/s/ Representative B.J. Marsh  
Missouri House of Representatives

## WITHDRAWAL OF HOUSE BILLS

February 5, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, Missouri 65101

Dear Mr. Wedel:

I request that **HB 1413** (authorizes a conveyance of state property in St. Francois County) be withdrawn today.

Thank you for your kind attention to this request.

Sincerely,

/s/ Tom Burcham  
State Representative  
District 106

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February 6, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

I respectfully request that **HB 1774** (relating to overtime pay for state employees) be withdrawn today due to drafting errors. A properly drafted bill will follow.

Thank you for your kind attention to this request.

Sincerely,

/s/ Larry Crawford  
District 117

The following members' presence was noted: Cooper and Monaco.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 7, 2002.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Sixteenth Day, Tuesday, February 5, 2002, page 196, lines 32 and 33, by deleting said lines and inserting in lieu thereof the following:

**HCR 14**, introduced by Representative Townley, to encourage the Animal and Plant Inspection Service of the United States Department of Agriculture to develop and promulgate a permanent electronic identification program to be used on all red meat-producing livestock that would gather information and help protect the United States' consumer in the event of a bioterrorist threat.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - EDUCATION**

Thursday, February 7, 2002, 10:00 a.m. Hearing Room 1 upon adjournment.  
Mark-up continued. CANCELLED.

#### **APPROPRIATIONS - EDUCATION**

Thursday, February 7, 2002. Hearing Room 1 upon adjournment.  
Executive Session.  
To be considered - HB 1711

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, February 7, 2002. Hearing Room 7 upon adjournment.  
Attorney General and General Assembly.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 12, 2002. Hearing Room 6 upon adjournment or 1:00 to 2:45 p.m.  
Mark-ups.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 13, 2002. Hearing Room 6 upon adjournment or 1:00 to 2:45 p.m.  
Mark-ups.

APPROPRIATIONS - SOCIAL SERVICES

Monday, February 11, 2002, 1:00 p.m. Hearing Room 3.  
Department of Social Services

APPROPRIATIONS - TRANSPORTATION

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 7.  
Public testimony.

BUDGET

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 3.  
To be considered - HB 1115

CRIMINAL LAW

Monday, February 11, 2002. Side gallery upon adjournment.  
Executive Session.

ENVIRONMENT AND ENERGY

Thursday, February 7, 2002, 8:30 a.m. Hearing Room 5.  
Executive Session may follow.  
To be considered - HB 1472

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 12, 2002, 8:30 a.m. Hearing Room 7.  
To be considered - HB 1306, HB 1404

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Wednesday, February 13, 2002, 2:00 p.m. Hearing Room 2.

URBAN AFFAIRS

Tuesday, February 12, 2002, 4:00 p.m. Hearing Room 1.  
To be considered - HB 1488

## **HOUSE CALENDAR**

EIGHTEENTH DAY, THURSDAY, FEBRUARY 7, 2002

### **HOUSE BILLS FOR SECOND READING**

HB 1811 through HB 1835

### **HOUSE BILL FOR SECOND READING - APPROPRIATIONS**

HB 1105

### **HOUSE JOINT RESOLUTION FOR PERFECTION**

HJR 32 - Barry

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1150, 1237 & 1327 - Bray
- 2 HCS HB 1134, 1100 & 1559 - Relford

### **HOUSE BILL FOR PERFECTION - CONSENT**

(February 4, 2002)

HB 1151 - Smith

### **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 5 - Reynolds
- 2 HCR 7 - Boykins
- 3 HCR 6 - Jetton

### **HOUSE BILL FOR THIRD READING**

HCS HB 1154 - Smith

### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1519 - Boucher
- 2 HB 1192 - Harding

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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EIGHTEENTH DAY, THURSDAY, FEBRUARY 7, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

From the Psalms of The Hebrew Scriptures we read: "All the heavens declare your glory, and all the earth Your handiwork." Lord, we can't do much about Your heavens, but You've put us in some charge of the earth. As these women and men try to improve the lot of our earthly society in Missouri, we ask Your aid and succor. We finish another legislative week today. We pray for safety and health for our citizens back home, safe travel for our representatives to their homes for the weekend, happiness and spiritual prosperity in their families, and we count on Your assistance in facilitating those laws and statutes which pass their way this day. Help us always to mirror more closely Your heavenly commonwealth. AMEN.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chris Jackson, Megan Bogle, Daniel Ortiz, Danielle Halbert and Pamela Williams.

The Journal of the seventeenth day was approved as corrected.

## RESOLUTIONS

Representatives Shields, Wright and Cierpiot offered House Resolution No. 244.  
Representatives Williams and Berkstresser offered House Resolution No. 262.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 199

through

House Resolution No. 243 - Representative Crowell

House Resolution No. 245

and

House Resolution No. 246 - Representative Fares

House Resolution No. 247 - Representative Vogel

House Resolution No. 248 - Representative St. Onge, et al

House Resolution No. 249 - Representatives Monaco and Mays (50)

House Resolution No. 250

through

House Resolution No. 256 - Representatives Linton and Secrest

House Resolution No. 257 - Representative Cunningham  
House Resolution No. 258 - Representative Scott  
House Resolution No. 259 - Representative Campbell  
House Resolution No. 260 - Representative Ransdall  
House Resolution No. 261 - Representative Purgason  
House Resolution No. 263 - Representative Liese  
House Resolution No. 264  
and  
House Resolution No. 265 - Representative Crump  
House Resolution No. 266  
through  
House Resolution No. 270 - Representative Crowell

### **SECOND READING OF HOUSE BILL - APPROPRIATIONS**

**HB 1105** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1811** through **HB 1835** were read the second time.

### **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 1386 & 1038**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

### **SIGNING OF HOUSE BILL**

All other business of the House was suspended while **HCS HBs 1386 & 1038** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HBs 1386 & 1038** was delivered to the Governor by the Chief Clerk of the House.

### **THIRD READING OF HOUSE BILL**

**HCS HB 1154**, relating to juvenile court, was taken up by Representative Smith.

On motion of Representative Smith, **HCS HB 1154** was read the third time and passed by the following vote:



AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Smith	St. Onge	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartle	Gaskill	Green 73	Hickey	Hollingsworth
O'Connor	Schwab	Skaggs	Surface	Troupe

VACANCIES: 004

Speaker Kreider declared the bill passed.

## ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 5**, relating to Deaf Awareness Week, was taken up by Representative Reynolds.

Speaker Pro Tem Abel assumed the Chair.

Representative Merideth offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Concurrent Resolution No. 5, Page 1, Line 15, by deleting the word “and”; and

Further amend said page and said line by adding:

**“; require the diversity of deaf and hard of hearing citizens, including both the oral deaf and the signing deaf; and”.**

On motion of Representative Merideth, **House Amendment No. 1** was adopted.

On motion of Representative Reynolds, **HCR 5, as amended**, was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hayway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Smith	St. Onge	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Champion

ABSENT WITH LEAVE: 010

Bartle	Harlan	Hickey	Hollingsworth	Lograsso
Long	O'Connor	Skaggs	Surface	Troupe

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HCR 7**, relating to bioterrorism, was taken up by Representative Boykins.

On motion of Representative Boykins, **HCR 7** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bartle	Hickey	Hollingsworth	Lograsso	Long
O'Connor	Skaggs	Surface	Troupe	

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HCR 6**, relating to response to September 11th, was taken up by Representative Jetton.

Representative Jetton offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Concurrent Resolution No. 6, Page 1, Section 1, Line 3, by adding after the word “**D.C.**” the following: “, **and a fourth into the ground in Pennsylvania**”; and

Further amend said resolution, Page 1, Section 1, Line 11, by deleting the word “**First**” and inserting in lieu thereof the word “**Second**”.

On motion of Representative Jetton, **House Amendment No. 1** was adopted.

On motion of Representative Jetton, **HCR 6, as amended**, was read the third time and passed by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Thompson	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 001

Campbell

ABSENT WITH LEAVE: 016

Bartle	Bray 84	Curls	Green 73	Hickey
Hilgemann	Hollingsworth	Liese	Long	O'Connor
Seigfreid	Skaggs	Surface	Troupe	Van Zandt
Wilson 25				

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

### THIRD READING OF HOUSE BILLS - CONSENT

**HB 1519**, relating to Patriots Day, was taken up by Representative Boucher.

On motion of Representative Boucher, **HB 1519** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Bartle	Green 73	Hickey	Hilgemann
Hollingsworth	Jetton	Liese	Lograsso	Long
Marble	O'Connor	Skaggs	Surface	Troupe

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1192**, relating to industrial development corporations, was taken up by Representative Harding.

On motion of Representative Harding, **HB 1192** was read the third time and passed by the following vote:

AYES: 111

Abel	Barnett	Barnitz	Barry 100	Behnen
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Gambaro
Gaskill	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hilgemann	Holand
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Lowe
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Monaco	Moore	Murphy
Myers	Naeger	O'Toole	Overschmidt	Phillips
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Roark	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Smith	Treadway
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 029

Ballard	Bartelsmeyer	Bearden	Berkstresser	Boatright
Champion	Cierpiot	Cunningham	Froelker	Henderson
Hendrickson	Hohulin	Hunter	Legan	Linton
Luetkemeyer	Marble	Miller	Nordwald	Ostmann
Portwood	Purgason	Quinn	Rector	Ridgeway
Robirds	Scott	St. Onge	Townley	

PRESENT: 002

Brooks	Thompson
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ABSENT WITH LEAVE: 017

Baker	Bartle	Byrd	Franklin	George
Green 73	Hickey	Hollingsworth	Liese	Lograsso
Long	O'Connor	Skaggs	Surface	Troupe
Van Zandt	Mr. Speaker			

VACANCIES:004

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

### **SIGNING OF SENATE BILL**

All other business of the House was suspended while **SCS SBs 727 & 703** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 24** - Miscellaneous Bills & Resolutions  
**HJR 38** - Ways and Means  
**HJR 39** - Education-Elementary and Secondary  
**HJR 40** - Miscellaneous Bills & Resolutions  
**HJR 42** - Ways and Means  
**HJR 43** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1029** - Criminal Law  
**HB 1044** - Ways and Means  
**HB 1048** - Ways and Means  
**HB 1057** - Ways and Means  
**HB 1060** - Ways and Means  
**HB 1073** - Local Government and Related Matters  
**HB 1087** - Ways and Means  
**HB 1160** - Miscellaneous Bills & Resolutions  
**HB 1169** - Elections  
**HB 1206** - Ways and Means  
**HB 1230** - Ways and Means  
**HB 1235** - Ways and Means  
**HB 1325** - Ways and Means  
**HB 1358** - Ways and Means

**HB 1431** - Ways and Means  
**HB 1460** - Miscellaneous Bills & Resolutions  
**HB 1467** - Ways and Means  
**HB 1501** - Banks and Financial Institutions  
**HB 1504** - Motor Vehicle and Traffic Regulations  
**HB 1506** - Transportation  
**HB 1507** - Transportation  
**HB 1508** - Transportation  
**HB 1509** - Urban Affairs  
**HB 1510** - Urban Affairs  
**HB 1511** - Ways and Means  
**HB 1512** - Education-Elementary and Secondary  
**HB 1514** - Local Government and Related Matters  
**HB 1515** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1516** - Judiciary  
**HB 1517** - Professional Registration and Licensing  
**HB 1518** - Insurance  
**HB 1522** - Education-Higher  
**HB 1523** - Civil and Administrative Law  
**HB 1524** - Retirement  
**HB 1525** - Miscellaneous Bills & Resolutions  
**HB 1527** - Education-Higher  
**HB 1528** - Professional Registration and Licensing  
**HB 1529** - Retirement  
**HB 1534** - Motor Vehicle and Traffic Regulations  
**HB 1535** - Transportation  
**HB 1536** - Judiciary  
**HB 1537** - Judiciary  
**HB 1538** - Retirement  
**HB 1539** - Judiciary  
**HB 1541** - Ways and Means  
**HB 1542** - Criminal Law  
**HB 1543** - Motor Vehicle and Traffic Regulations  
**HB 1544** - Local Government and Related Matters  
**HB 1545** - Miscellaneous Bills & Resolutions  
**HB 1546** - Workers Compensation and Employment Security  
**HB 1547** - Sportsmanship, Safety and Firearms  
**HB 1548** - Children, Families and Health  
**HB 1549** - Environment and Energy  
**HB 1550** - Motor Vehicle and Traffic and Regulations  
**HB 1552** - Children, Families and Health  
**HB 1553** - Education-Elementary and Secondary  
**HB 1554** - Ways and Means  
**HB 1555** - Civil and Administrative Law  
**HB 1556** - Ways and Means



**HB 1557** - Education-Elementary and Secondary  
**HB 1558** - Miscellaneous Bills & Resolutions  
**HB 1560** - Retirement  
**HB 1562** - Commerce and Economic Development  
**HB 1563** - Local Government and Related Matters  
**HB 1564** - Ways and Means  
**HB 1565** - Correctional and State Institutions  
**HB 1566** - Education-Elementary and Secondary  
**HB 1567** - Insurance  
**HB 1568** - Insurance  
**HB 1571** - Retirement  
**HB 1572** - Retirement  
**HB 1575** - Ways and Means  
**HB 1576** - Ways and Means  
**HB 1578** - Judiciary  
**HB 1579** - Civil and Administrative Law  
**HB 1580** - Local Government and Related Matters  
**HB 1581** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1582** - Ways and Means  
**HB 1585** - Municipal Corporations  
**HB 1587** - Criminal Law  
**HB 1588** - Miscellaneous Bills & Resolutions  
**HB 1590** - Transportation  
**HB 1595** - Sportsmanship, Safety and Firearms  
**HB 1596** - Miscellaneous Bills & Resolutions  
**HB 1597** - Children, Families and Health  
**HB 1598** - Motor Vehicle and Traffic Regulations  
**HB 1599** - Environment and Energy  
**HB 1600** - Professional Registration and Licensing  
**HB 1602** - Miscellaneous Bills & Resolutions  
**HB 1603** - Judiciary  
**HB 1607** - Criminal Law  
**HB 1610** - Commerce and Economic Development  
**HB 1613** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1614** - Ways and Means  
**HB 1615** - Fiscal Review and Government Reform  
**HB 1616** - Professional Registration and Licensing  
**HB 1617** - Retirement  
**HB 1618** - Ways and Means  
**HB 1619** - Criminal Law  
**HB 1620** - Transportation  
**HB 1621** - Civil and Administrative Law  
**HB 1622** - Children, Families and Health  
**HB 1623** - Judiciary  
**HB 1624** - Motor Vehicle and Traffic Regulations

**HB 1627** - Miscellaneous Bills & Resolutions  
**HB 1629** - Criminal Law  
**HB 1630** - Local Government and Related Matters  
**HB 1631** - Labor  
**HB 1633** - Judiciary  
**HB 1634** - Local Government and Related Matters  
**HB 1635** - Local Government and Related Matters  
**HB 1636** - Local Government and Related Matters  
**HB 1641** - Professional Registration and Licensing  
**HB 1642** - Judiciary  
**HB 1643** - Professional Registration and Licensing  
**HB 1644** - Professional Registration and Licensing  
**HB 1645** - Transportation  
**HB 1646** - Judiciary  
**HB 1648** - Education-Higher  
**HB 1649** - Municipal Corporations  
**HB 1650** - Local Government and Related Matters  
**HB 1655** - Banks and Financial Institutions  
**HB 1657** - Ways and Means  
**HB 1659** - Judiciary  
**HB 1660** - Ways and Means  
**HB 1662** - Ways and Means  
**HB 1663** - Elections  
**HB 1664** - Motor Vehicle and Traffic Regulations  
**HB 1665** - Judiciary  
**HB 1667** - Insurance  
**HB 1668** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1669** - Ways and Means  
**HB 1671** - Professional Registration and Licensing  
**HB 1672** - Ways and Means  
**HB 1674** - Retirement  
**HB 1675** - Judiciary  
**HB 1677** - Children, Families and Health  
**HB 1679** - Miscellaneous Bills & Resolutions  
**HB 1680** - Sportsmanship, Safety and Firearms  
**HB 1682** - Professional Registration and Licensing  
**HB 1684** - Miscellaneous Bills & Resolutions  
**HB 1685** - Transportation  
**HB 1686** - Criminal Law  
**HB 1687** - Local Government and Related Matters  
**HB 1688** - Motor Vehicle and Traffic Regulations  
**HB 1689** - Professional Registration and Licensing  
**HB 1690** - Environment and Energy  
**HB 1691** - Correctional and State Institutions  
**HB 1692** - Tourism, Recreation and Cultural Affairs

**HB 1693** - Civil and Administrative Law  
**HB 1694** - Children, Families and Health  
**HB 1695** - Critical Issues, Consumer Protection and Housing  
**HB 1696** - Motor Vehicle and Traffic Regulations  
**HB 1697** - Judiciary  
**HB 1698** - Judiciary  
**HB 1699** - Miscellaneous Bills & Resolutions  
**HB 1700** - Criminal Law  
**HB 1744** - Transportation  
**HB 1761** - Ways and Means  
**HB 1762** - Banks and Financial Institutions  
**HB 1798** - Ways and Means  
**HB 1807** - Local Government and Related Matters  
**HB 1817** - Education-Elementary and Secondary  
**HB 1834** - Ways and Means

### **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 46**, introduced by Representative Froelker, relating to personal property taxation.  
**HJR 47**, introduced by Representatives Willoughby, Relford, Davis, Richardson, Mays (50), Byrd and Wright, relating to political subdivision revenue bonds for utility, industrial, and airport purposes.

### **INTRODUCTION OF HOUSE BILL - APPROPRIATIONS**

The following House Bill was read the first time and copies ordered printed:

**HB 1104**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1836**, introduced by Representatives Hosmer, Skaggs, Murphy, Barry, Sanders Brooks, Boucher, Shelton, Bartelsmeyer and Daus, et al, relating to offenses against the person.

**HB 1837**, introduced by Representatives Berkowitz, Shoemyer (9), Whorton, Hampton, Davis, Copenhaver and Smith, et al, relating to the Missouri qualified fuel ethanol producer incentive fund.

**HB 1838**, introduced by Representative Hosmer, relating to licensure of motor vehicle and watercraft dealers.

**HB 1839**, introduced by Representative Seigfreid, relating to dissolution of special road districts.

**HB 1840**, introduced by Representative Seigfreid, relating to electronic filing of lobbying reports.

**HB 1841**, introduced by Representatives Boatright, Merideth and Purgason, et al, relating to state purchasing.

**HB 1842**, introduced by Representative Froelker, relating to the assisted suicide funding restriction act.

**HB 1843**, introduced by Representative Johnson (90), relating to professional counselors.

**HB 1844**, introduced by Representatives Johnson (90), Barry and Daus, relating to funeral directors and embalmers.

**HB 1845**, introduced by Representatives Copenhaver, George, Franklin, Hickey, O'Connor, Foley and Bray, relating to teachers of the public schools.

**HB 1846**, introduced by Representative Scott, relating to boards of trustees of towns and villages.

**HB 1847**, introduced by Representatives Phillips, Luetkenhaus, Kelly (36), Holt, Dolan, Reid, Portwood and Bartle, et al, relating to informed consent for abortion.

**HB 1848**, introduced by Representatives Hegeman and Merideth, relating to economic development tax credit programs.

**HB 1849**, introduced by Representatives Barnitz and Overschmidt, to authorize the conveyance of property owned by the state in the county of Crawford to the county commission of Crawford county.

**HB 1850**, introduced by Representative O'Toole, relating to sheriff's charges.

**HB 1851**, introduced by Representatives Curls, Bland, Lowe, Van Zandt, Campbell, Mays (50) and Monaco, et al, relating to housing authorities.

**HB 1852**, introduced by Representative Villa, relating to special license plates.

**HB 1853**, introduced by Representative Wagner, relating to financial interest statements.

**HB 1854**, introduced by Representatives Crawford, Moore, Hunter, Quinn, Holt, Hegeman, Shoemaker (8), Barry, Reinhart, Bartelsmeyer, Berkstresser, Daus, Robirds, King, Cooper and Black, relating to overtime pay for state employees.

**HB 1855**, introduced by Representative Hollingsworth, relating to state property preservation.

**HB 1856**, introduced by Representatives Myers, King, Quinn, Mayer, Merideth and Black, et al, relating to genetically enhanced seed.

**HB 1857**, introduced by Representative Bray, relating to qualifications for school board members of certain school districts.

**HB 1858**, introduced by Representative Bray, relating to qualifications for school board members of certain school districts.

**HB 1859**, introduced by Representative Hendrickson, relating to income taxation.

**HB 1860**, introduced by Representative Hendrickson, relating to presidential electors.

**HB 1861**, introduced by Representative Burcham, to authorize the conveyance of property owned by the state in the County of St. Francois to the Habitat for Humanity of St. Francois County.

**HB 1862**, introduced by Representatives May (149), Dolan, Crawford, Myers, Fraser, Holt, Quinn, Shoemaker (8), Luetkenhaus, Griesheimer, Reinhart, Byrd, Froelker, Gaskill, Dempsey, Hunter and Graham, relating to special license plates for Rotary International members.

**HB 1863**, introduced by Representatives Whorton, Berkowitz, Shoemyer (9), Myers, Barnitz, Merideth and Black, et al, relating to the biodiesel incentive fund.

**HB 1864**, introduced by Representative Cunningham, relating to required usage of lighted lamps by motor vehicle operators.

**HB 1865**, introduced by Representatives Willoughby, Relford, Davis, Richardson, Mays (50), Byrd and Wright, relating to joint municipal utility projects.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #2 SB 650**, entitled:

An act to repeal section 556.036, RSMo, relating to sexual offenses, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

## MESSAGE FROM THE GOVERNOR

February 7, 2002

### REORGANIZATION PLAN NO. 1

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2002, by Executive Order 02-03, providing for the re-establishment of the Motor Carrier Services Unit in the Department of Transportation.

Respectfully submitted,

/s/ Bob Holden  
Governor

### EXECUTIVE ORDER 02-03

WHEREAS, the Department of Transportation's Motor Carrier Services Unit is currently the state agency designated to issue permits to commercial motor vehicles for oversize and overweight vehicles, conduct the house-moving permit system, and issue bridge-stress studies and administer other road-safety programs for the citizens of Missouri; and

WHEREAS, the Department of Economic Development, Division of Motor Carrier and Railroad Safety currently administers the Federal Single State Registration Program (SSRS) for commercial motor vehicles, the railroad and light rail safety program, the regulation of household goods and passenger transportation, and other safety, insurance and training programs in relation to commercial motor vehicles for the citizens of Missouri; and

WHEREAS, the Department of Revenue, Highway Reciprocity Commission provides commercial motor vehicle apportioned license plates through the International Registration Plan (IRP), cab cards, and International Fuel Tax (IFTA) licenses, and temporary trip permits to commercial motor vehicles and administers the provision of such services to its clients; and

WHEREAS, the Department of Natural Resources issues hazardous waste transporter licenses and waste tire hauling permits to commercial motor vehicles for the hauling of such material for the benefit of Missouri citizens; and

WHEREAS, these agencies have worked closely together in the past; and

WHEREAS, consolidation of the commercial motor vehicle licensing and permit programs currently administered by the Division of Motor Carrier and Railroad Safety, the Highway Reciprocity Commission, the Department of Transportation's Motor Carrier Services Unit, and the Department of Natural Resources' hazardous waste transporter licensing and waste tire permit functions in one state agency will benefit the citizens of the state by promoting efficiency and eliminating duplication of activities and administrative costs; and

WHEREAS, the Department of Transportation currently compiles statistical information which is essential to the efficient operation of the transportation system; and

WHEREAS, combining the research and analysis functions of the Department of Transportation with other commercial motor vehicle licensing and permitting programs will result in a single point of contact for the motor carrier industry and a better consolidation of the functions relating to commercial motor vehicle licensing, permitting, regulation, safety and travel and would benefit the citizens of the state by further promoting safer and more efficient use of our highways by commercial motor vehicles.

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the constitution and laws of the state of Missouri, do hereby re-establish the Motor Carrier Services Unit within the Department of Transportation. Said unit shall be designated to receive highway funds, shall administer programs under the federally mandated IRP, IFTA and SSRS agreements, and shall otherwise coordinate and administer the commercial motor vehicle licensing and permitting activities in order to improve transportation safety and customer satisfaction for the citizens of the state of Missouri.

All the authority, powers, permits, licenses, credentials, functions, records, personnel, property, receipts, contracts, and matters pending and other pertinent vestiges of the: 1. Division of Motor Carrier and Railroad Safety within the Department of Economic Development, and 2. Highway Reciprocity Commission within the Department of Revenue are hereby transferred by a Type I transfer to the Division of Motor Carrier Services within the Department of Transportation. The authority of the Administrative Law Judge shall be as currently provided in statute.

All the authority, powers, permits, licenses, credentials, functions, records, contracts, and matters pending and other pertinent vestiges of issuing hazardous waste transporter licenses and waste tire hauling permits within the Department of Natural Resources are also hereby transferred by a Type I transfer to the Motor Carrier Services Unit within the Department of Transportation. The personnel, receipts and property of this unit will remain at the Department of Natural Resources. The Department of Natural Resources shall continue to exist and perform its functions and duties related to the preservation of the state's land and water resources with the exception of issuing hazardous waste transporter licenses and waste tire hauling permits, for which it shall contract with the Department of Transportation.

The Motor Carrier Services Unit shall maintain a working relationship with the Department of Natural Resources for future improvements and upgrades to the hazardous waste transporter licensing and waste tire hauling permitting functions. The Division of Motor Carrier and Railroad Safety within the Department of Economic Development and the Highway Reciprocity Commission within the Department of Revenue are abrogated.

There shall be coordination between the training, licensing, permitting, and audit programs performed by the Department of Revenue, the Department of Natural Resources and the Motor Carrier Services Unit. There shall also be coordination between the motor vehicle insurance functions of the Department of Revenue and the Motor Carrier Services Unit.

IN WITNESS WHEREOF, I have hereunto  
set my hand and caused to be affixed this  
Great Seal of the State of Missouri, in the  
City of Jefferson on this 7th day of February, 2002.

/s/ Bob Holden  
Governor

ATTEST:  
/s/ Matt Blunt  
Secretary of State

## **WITHDRAWAL OF HOUSE BILL**

February 6, 2002

The Honorable Jim Kreider, Speaker  
Missouri House of Representatives  
Capitol Building, Room 308  
Jefferson City, MO 65101

Dear Speaker Kreider,

I request that **HB 1043** (relating to a Minute of Silence in Schools) be withdrawn.

Thank you for your consideration of this request. Please feel free to contact me if you have any questions.

Sincerely,

/s/ Rep. Carl Bearden

The following members' presence was noted: Skaggs, Hickey, O'Connor and Troupe.

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, February 11, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Seventeenth Day, Wednesday, February 6, 2002, pages 205 and 206, roll call, by showing Representatives Hunter, Jetton, Portwood and Sanders Brooks voting "aye" rather than "absent with leave".

Pages 205 and 206, roll call, by showing Representative Reynolds voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Tuesday, February 12, 2002, 5:30 p.m. Hearing Room 1.

Department of Corrections.

Public testimony.

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 5.

Mark-up.



APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 11, 2002, 1:00 p.m. Hearing Room 7.

Department of Revenue, Office of Administration.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 12, 2002. Hearing Room 6 upon adjournment or 1:00 to 2:45 p.m.

Mark-ups.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 13, 2002. Hearing Room 6 upon adjournment or 1:00 to 2:45 p.m.

Mark-ups.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 12, 2002. Hearing Room 5 upon adjournment.

Mark-up.

Department of Economic Development, Department of Labor and Industrial Relations.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 13, 2002. Hearing Room 5 upon adjournment.

Mark-up.

Department of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES

Monday, February 11, 2002, 1:00 p.m. Hearing Room 3.

Department of Social Services

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 12, 2002. Hearing Room 3 upon adjournment.

Department of Social Services.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 13, 2002. Hearing Room 3 upon adjournment.

Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Monday, February 11, 2002, 7:00 p.m. Hearing Room 7.

To be considered - HB 1104

APPROPRIATIONS - TRANSPORTATION

Thursday, February 14, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 1104

**BUDGET**

Tuesday, February 12, 2002, 8:30 a.m. Hearing Room 3.

Possible Executive Session to follow.

To be considered - HB 1115, HB 1711

**BUDGET**

Wednesday, February 13, 2002, 8:30 a.m. Hearing Room 3.

Executive Session on previously heard bills.

**CHILDREN, FAMILIES, AND HEALTH**

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1303, HB 1444, HB 1481

**CRIMINAL LAW**

Monday, February 11, 2002. Side gallery upon adjournment.

Executive Session.

**CRIMINAL LAW**

Wednesday, February 13, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1430, HB 1433, HB 1447, HB 1483, HB 1490

**CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Monday, February 11, 2002, 8:00 p.m. Hearing Room 3.

To be considered - HB 1061

**EDUCATION - ELEMENTARY AND SECONDARY**

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 3.

Executive Session may follow on HB 1625.

To be considered - HB 1267, HB 1817

**ELECTIONS**

Tuesday, February 12, 2002, 7:30 p.m. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1492, HB 1494, HB 1495

**FISCAL REVIEW AND GOVERNMENT REFORM**

Tuesday, February 12, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 1306, HB 1404

**JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT**

Wednesday, February 13, 2002, 2:00 p.m. Hearing Room 2.

**JUDICIARY**

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1428, HB 1656, HB 1749, Executive Session - HB 1055,  
Executive Session - HB 1139, Executive Session - HB 1434, Executive Session - HJR 28

**LABOR**

Tuesday, February 12, 2002, 5:30 p.m. Hearing Room 3.

To be considered - HB 1427, Executive Session - HB 1069, Executive Session - HB 1403,  
Executive Session - HB 1592

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, February 13, 2002, 8:30 a.m. Hearing Room 6.

To be considered - HB 1066, HB 1350, HB 1393, HR 26, HR 124, HR 136, HR 137

**MUNICIPAL CORPORATIONS**

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 4.

To be considered - HB 1194, HB 1209

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, February 12, 2002, 8:00 p.m. Hearing Room 6.

To be considered - HB 1384, HB 1469, HB 1485

**URBAN AFFAIRS**

Tuesday, February 12, 2002, 4:00 p.m. Hearing Room 1.

To be considered - HB 1488

**HOUSE CALENDAR**

NINETEENTH DAY, MONDAY, FEBRUARY 11, 2002

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

1 HJR 46

2 HJR 47

**HOUSE BILLS FOR SECOND READING**

HB 1836 through HB 1865

**HOUSE BILL FOR SECOND READING - APPROPRIATIONS**

HB 1104

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HJR 32 - Barry

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1150, 1237 & 1327 - Bray
- 2 HCS HB 1134, 1100 & 1559 - Relford

**HOUSE BILL FOR PERFECTION - CONSENT**

(February 4, 2002)

HB 1151 - Smith

**SENATE BILL FOR SECOND READING**

SS#2 SB 650

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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NINETEENTH DAY, MONDAY, FEBRUARY 11, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Heavenly God, decisions made in grace rather than in selfishness, out of a goal of service and not for dominance, seem to ring more true to Your wise and compassionate plan. We request Your continued presence in this Chamber today and all this week, God, that our representatives may center these deliberations, judgements, and votes with just such motive and toward such a goal.

So may Your spirit live here and continue to enliven the people of Missouri with life, love, and happiness. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as corrected by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway

Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

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PRESENT: 000

ABSENT WITH LEAVE: 008

Bartelsmeyer	Berkstresser	Clayton	Crowell	Gaskill
Hagan-Harrell	Hickey	Shields		

VACANCIES: 004

## **RESOLUTION**

Representative Bonner, et al, offered House Resolution No. 278.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 271

and

House Resolution No. 272	-	Representative Burcham
House Resolution No. 273	-	Representative Hosmer
House Resolution No. 274	-	Representative Thompson
House Resolution No. 275	-	Representative Gratz
House Resolution No. 276	-	Representatives Byrd and Fares
House Resolution No. 277	-	Representative Franklin

### **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 46** and **HJR 47** were read the second time.

### **SECOND READING OF HOUSE BILL - APPROPRIATIONS**

**HB 1104** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1836** through **HB 1865** were read the second time.

### **SECOND READING OF SENATE BILL**

**SS #2 SB 650** was read the second time.

### PERFECTION OF HOUSE BILL

**HCS HBs 1134, 1100 & 1559**, relating to the Conservation Commission, was taken up by Representative Relford.

On motion of Representative Relford, **HCS HBs 1134, 1100 & 1559** was adopted.

On motion of Representative Relford, **HCS HBs 1134, 1100 & 1559** was ordered perfected and printed.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HJR 32**, relating to school district bond elections, was taken up by Representative Barry.

Representative Marble offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Joint Resolution No. 32, Page 1, Line 4, by adding after the word “**rejection**,” the following:

“**By a four-sevenths majority**,”.

Representative Marble moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Purgason offered **House Amendment No. 2**.

Representative Carnahan raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Purgason offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Joint Resolution No. 32, Page 2, Article VI, Section 26(b), Line 9, by inserting after the word “**majority**” on said line the following:

“**of the registered voters in such district**”.

Representative Purgason moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Barry, **HJR 32** was ordered perfected and printed.

### **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 150** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were referred to the Committee indicated:

**HB 1101** - Budget

**HB 1105** - Budget

**HB 1106** - Budget

**HB 1107** - Budget

**HB 1109** - Budget

**HB 1110** - Budget

**HB 1111** - Budget

**HB 1114** - Budget

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1533** - Critical Issues, Consumer Protection and Housing

**HB 1652** - Children, Families and Health

**HB 1765** - Ways and Means

**HB 1797** - Ways and Means

### **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1151 (Consent)**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 48**, introduced by Representatives Murphy, Townley, Selby, Hendrickson, Troupe, Merideth, Shoemaker (8), Hegeman, Froelker, Enz, King, Myers, Luetkemeyer, Gaskill, Gratz, Seigfreid, Purgason and St. Onge, relating to the limitation of power of the general assembly.



## INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

**HB 1102**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1103**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1108**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1112**, introduced by Representative Green (73), to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

**HB 1120**, introduced by Representative Green (73), to appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1866**, introduced by Representatives Fares, Hanaway, Shoemaker (8), Ostmann, Villa, Dolan and Reid, relating to senior citizens property tax relief.

**HB 1867**, introduced by Representative Griesheimer, relating to special license plates.

**HB 1868**, introduced by Representatives Barry, Holt and Fraser, et al, relating to the creation of a regional taxicab commission.

**HB 1869**, introduced by Representatives Barry, Hanaway, Hosmer, Selby, Holt, Luetkenhaus, Hendrickson and Dempsey, et al, relating to peace officer residency requirements.

**HB 1870**, introduced by Representative Barry, relating to newborn screening data.

**HB 1871**, introduced by Representative Barry, relating to collaborative practice arrangements.

**HB 1872**, introduced by Representative Hosmer, relating to watercraft regulations.

**HB 1873**, introduced by Representative Shoemyer (9), relating to the state board of pharmacy.

**HB 1874**, introduced by Representatives Crawford and Relford, relating to nuisances.

**HB 1875**, introduced by Representative Mays (50), relating to utility rates determined by the public service commission.

**HB 1876**, introduced by Representative Kelly (27), relating to state-owned or leased facilities.

**HB 1877**, introduced by Representatives Foley, Graham and O'Toole, for the sole purpose of establishing and funding the schools of the future fund.

**HB 1878**, introduced by Representatives Roark, Crowell, Rector, Cunningham, Bartle, Froelker, Kelly (36), Jetton, Bartelsmeyer, Shoemaker (8), Moore, Phillips, Bearden, Holand, Hunter, Myers, Reinhart, Behnen, Cierpiot,ENZ, Kelley (47), Berkstresser, Dempsey, Quinn, Wright, Kelly (144) and Crawford, relating to covenant marriage.

**HB 1879**, introduced by Representative O'Toole, relating to firefighter's retirement and relief systems.

**HB 1880**, introduced by Representative O'Toole, relating to firefighter's retirement and relief systems.

**HB 1881**, introduced by Representative Rizzo, relating to drivers' licenses for certain individuals.

**HB 1882**, introduced by Representative Luetkenhaus, relating to emergencies in fire protection districts.

**HB 1883**, introduced by Representative Froelker, relating to collection of property taxes.

**HB 1884**, introduced by Representative Froelker, relating to real estate tax payments.

**HB 1885**, introduced by Representative Froelker, relating to the issuance of birth certificates for stillborns.

**HB 1886**, introduced by Representatives Rizzo, Boucher, Gambaro, Hanaway, Scheve, Skaggs and Curls, et al, relating to municipal economic authorities.

**HB 1887**, introduced by Representatives Ladd Baker and Hosmer, relating to in-home services for the elderly.

**HB 1888**, introduced by Representatives Barnitz, Legan, Abel, Bearden, Liese, Merideth and Jolly, et al, relating to use of pawnshop databases for law enforcement purposes.

**HB 1889**, introduced by Representatives Foley, Hanaway, Scheve, O'Toole, Treadway, Bonner, Gambaro, Rizzo, Bowman and Thompson, et al, relating to the sports center redevelopment authority act.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 40**.

#### **SENATE CONCURRENT RESOLUTION NO. 40**

WHEREAS, there are more than 33,000 jobs in the motor vehicle and equipment manufacturing industry in Missouri; and

WHEREAS, the most recent figures for complete employment and wage data reveal a contribution of more than one and three-quarter billion dollars to the Missouri economy; and

WHEREAS, the state of Missouri has enjoyed a long-term partnership and mutually supportive relationship with Ford Motor Company; and

WHEREAS, this relationship began in 1907 with the opening of a sales and stock operation in St. Louis, the opening of a Ford plant in 1911 in Kansas City followed by the establishment of a Ford Model T plant in St. Louis in 1914; and

WHEREAS, the state of Missouri has long recognized the need for keeping Fords' work force as skilled and productive as possible and thus over the past decade has provided more than twenty-four million dollars in job training funds for the company in Missouri; and

WHEREAS, for more than 40 years, St. Louis had been one of the principal manufacturing satellites of Ford Motor Company; and

WHEREAS, St. Louis holds the distinction as the only metropolitan area outside Michigan with plants from all of the Big Three automakers; and

WHEREAS, Ford Motor Company has announced it will close its plant in Hazelwood by the middle of this decade, eliminating 2,640 jobs; and

WHEREAS, workers at the Hazelwood plant generate an annual payroll of approximately \$165 million; and

WHEREAS, industry analysts rate the Explorer, made in Hazelwood, as the nation's top-selling sport utility vehicle; and

WHEREAS, reports by Harbour & Associates, Inc., of Troy, Michigan, which list Hazelwood as the fourth most efficient auto plant in the nation; and

WHEREAS, an auto plant has a substantial ripple effect on the surrounding economy, including the plant's need for parts and services, each Ford job supports three and a half other jobs in the area, pumping approximately \$2.6 billion, directly and indirectly, into the St. Louis economy each year:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, support the assembly by the Governor of the Task Force on the Ford-Hazelwood Retention and direct the Task Force to immediately develop and execute a strategic plan to obtain the continued occupation and operation of the Hazelwood Ford Assembly Plant by Ford Motor Company; and

BE IT FURTHER RESOLVED that we most strongly urge the owners, executives and board of directors of Ford Motor Company to rescind their decision and work with the State of Missouri to find a mutually beneficial alternative to the closing of the Hazelwood plant; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the owners, executives and board of directors of Ford Motor Company.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGE**

The Speaker submitted the following Committee change:

Representative Bray has been appointed a member of the Ways and Means Committee.

The following member's presence was noted: Hickey.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, February 12, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Eighteenth Day, Thursday, February 7, 2002, pages 220 and 221, roll call, by showing Representative Curls voting "aye" rather than "absent with leave".

Pages 221 and 222, roll call, by showing Representative Jetton voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Tuesday, February 12, 2002, 5:30 p.m. Hearing Room 1.

Public testimony.

Department of Corrections.

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 5.

Mark-up.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 12, 2002, 6:00 p.m. Hearing Room 4.

Mark-up. CANCELLED.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 13, 2002. Hearing Room 7 upon adjournment.

Mark-up.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 13, 2002, 6:00 p.m. Hearing Room 6.

Mark-up.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Thursday, February 14, 2002. Hearing Room 7 upon adjournment.

Mark-up.

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Tuesday, February 12, 2002. Hearing Room 6 upon adjournment.

Mark-ups. AMENDED.

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Wednesday, February 13, 2002. Hearing Room 6 upon adjournment.

Possible Executive Session. AMENDED.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Tuesday, February 12, 2002. Hearing Room 5 upon adjournment.

Mark-up Department of Economic Development, Department of Labor and Industrial Relations.

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, February 13, 2002. Hearing Room 5 upon adjournment.

Mark-up Department of Natural Resources.

**APPROPRIATIONS - SOCIAL SERVICES**

Tuesday, February 12, 2002. Hearing Room 3 upon adjournment.

Department of Social Services.

**APPROPRIATIONS - SOCIAL SERVICES**

Wednesday, February 13, 2002. Hearing Room 3 upon adjournment.

Department of Social Services.

**APPROPRIATIONS - TRANSPORTATION**

Thursday, February 14, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 1104

**BANKS AND FINANCIAL INSTITUTIONS**

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 3.

Executive Session may follow.

To be considered - HB 1337, HB 1501, HB 1503, HB 1676

**BUDGET**

Tuesday, February 12, 2002, 8:30 a.m. Hearing Room 3.

Possible Executive Session to follow.

To be considered - HB 1115, HB 1711

**BUDGET**

Wednesday, February 13, 2002, 8:30 a.m. Hearing Room 3.

Executive Session on previously heard bills.

**CHILDREN, FAMILIES, AND HEALTH**

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1303, HB 1444, HB 1481

**CIVIL AND ADMINISTRATIVE LAW**

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1195, HB 1523, HB 1579

#### CRIMINAL LAW

Wednesday, February 13, 2002, 8:00 p.m. Hearing Room 7.

To be considered - HB 1430, HB 1433, HB 1447, HB 1483, HB 1490

#### EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 3.

Executive Session may follow on HB 1625.

To be considered - HB 1267, HB 1817

#### ELECTIONS

Tuesday, February 12, 2002, 7:30 p.m. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1492, HB 1494, HB 1495

#### FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, February 12, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 1306, HB 1404

#### INSURANCE

Tuesday, February 12, 2002, 12:00 p.m. Hearing Room 7. Amended.

To be considered - HB 1219, HB 1396, HB 1446, HB 1468, HB 1473, HB 1502,

Executive Session - HB 1215, Executive Session - HB 1375, Executive Session - HB 1381

#### JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Wednesday, February 13, 2002, 2:00 p.m. Hearing Room 2.

#### JUDICIARY

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1428, HB 1656, HB 1749, Executive Session - HB 1055,

Executive Session - HB 1139, Executive Session - HB 1434, Executive Session - HJR 28

#### LABOR

Tuesday, February 12, 2002, 5:30 p.m. Hearing Room 3.

To be considered - HB 1427, Executive Session - HB 1069, Executive Session - HB 1403,

Executive Session - HB 1592

#### LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow. AMENDED.

To be considered - HB 1073, HB 1132, HB 1207, HB 1544, HB 1563, HB 1634, HB 1635, HB 1636

#### MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 13, 2002, 8:00 a.m. Hearing Room 6. AMENDED.

To be considered - HB 1066, HB 1350, HB 1393, HB 1588, HB 1627,

HR 26, HR 124, HR 136, HR 137

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, February 12, 2002, 3:00 p.m. Hearing Room 1.

Executive Session may or may not follow.

To be considered - HB 1155, HB 1214, HB 1411, HB 1412, HB 1416, HB 1688

**MUNICIPAL CORPORATIONS**

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 4.

To be considered - HB 1194, HB 1209

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, February 12, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

Staff from the MO Veterans Homes will address this committee.

To be considered - HB 1613

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, February 12, 2002, 8:00 p.m. Hearing Room 6. AMENDED.

Executive Session may follow.

To be considered - HB 1384, HB 1469, HB 1485

**SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Wednesday, February 13, 2002. Hearing Room 7 upon adjournment.

Executive Session may follow.

To be considered - HB 1435, HB 1589, HB 1729

**URBAN AFFAIRS**

Tuesday, February 12, 2002, 4:00 p.m. Hearing Room 1.

To be considered - HB 1488

**UTILITIES REGULATION**

Wednesday, February 13, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1482, HB 1500

**WAYS AND MEANS**

Tuesday, February 12, 2002, 1:00 p.m. House Lounge. AMENDED.

To be considered - HB 1554, HB 1582, HB 1672, HB 1765

**WORKERS COMPENSATION AND EMPLOYMENT SECURITY**

Monday, February 18, 2002, 8:00 pm. Hearing Room 6.

To be considered - HB 1273, HB 1274, HB 1275, HB 1276, HB 1277, HB 1280, HB 1546



**HOUSE CALENDAR**

TWENTIETH DAY, TUESDAY, FEBRUARY 12, 2002

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 48

**HOUSE BILLS FOR SECOND READING**

HB 1866 through HB 1889

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

- 1 HB 1102
- 2 HB 1103
- 3 HB 1108
- 4 HB 1112
- 5 HB 1120

**HOUSE BILL FOR PERFECTION**

HCS HB 1150, 1237 & 1327 - Bray

**HOUSE BILL FOR THIRD READING - CONSENT**

HB 1151 - Smith

**SENATE CONCURRENT RESOLUTION FOR SECOND READING**

SCR 40

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTIETH DAY, TUESDAY, FEBRUARY 12, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Sometimes, God, the struggles seem overwhelming, the challenges just too obstinate. These men and women, our elected representatives, have much to confront this session. Some, especially those who cannot be with us next session, may be tempted to relinquish some of the battle.

We pray for them especially today and ask You to rally round them that they might continue to give of their best. To all these men and women, honorable in motive and action, give special strength in office or conference today and throughout this legislative session. Help them serve our state and our citizens in whatever way they can. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Nicole Nordwald.

The Journal of the nineteenth day was approved as printed.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh

May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 000

PRESENT: 002

Lograsso	Wright
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ABSENT WITH LEAVE: 006

Hagan-Harrell	Harlan	Hegeman	Holand	Jetton
Shields				

VACANCIES: 004

## RESOLUTION

Representative Hampton, et al, offered House Resolution No. 281.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 279

and

House Resolution No. 280 - Representative Crowell

House Resolution No. 282 - Representative Mayer

House Resolution No. 283

through

House Resolution No. 287 - Representative Hanaway, et al

House Resolution No. 288 - Representatives Lograsso and Ross

House Resolution No. 289 - Representative Lograsso

House Resolution No. 290 - Representative Holand

House Resolution No. 291 - Representative Townley

House Resolution No. 292 - Representative Moore

House Resolution No. 293 - Representative Fares

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 48** was read the second time.

**SECOND READING OF HOUSE BILLS - APPROPRIATIONS**

**HB 1102, HB 1103, HB 1108, HB 1112 and HB 1120** were read the second time.

**SECOND READING OF HOUSE BILLS**

**HB 1866** through **HB 1889** were read the second time.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 40** was read the second time.

**COMMITTEE REPORTS**

**Committee on Budget**, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1711**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HJR 32** and **HCS HBs 1134, 1100 & 1159**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**SUPPLEMENTAL CALENDAR**

(2-12-02)

**HOUSE BILL FOR PERFECTION**

HCS HB 1711 - Graham

Representative Smith assumed the Chair.

Speaker Kreider resumed the Chair.

**PERFECTION OF HOUSE BILL**

**HCS HBs 1150, 1237 & 1327**, relating to negotiation of tax liability, was taken up by Representative Bray.

Representative Campbell offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Section 32.375, Page 2, Lines 33 through 50, by deleting all of said lines.

On motion of Representative Campbell, **House Amendment No. 1** was adopted.

Representative Harding offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 1, Line 3 of the title, by inserting after the word “revenue” the words “,with an emergency clause for certain sections”; and

Further amend said bill, Page 5, Section 32.378, Line 81, by inserting after said line the following:

**“32.380. 1. Notwithstanding the provisions of any other law, with respect to taxes administered by the department of revenue, an amnesty from the assessment or payment of all penalties, additions to tax and interest shall apply with respect to unpaid taxes reported and paid in full during the period from August 1, 2002, through and including September 30, 2002, regardless of whether previously assessed, except for penalties, additions and interest already paid before such date. This amnesty shall only apply to state tax liabilities due but unpaid on or before December 31, 2001, and shall not extend to any taxpayer who at the time of payment:**

**(a) Is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or the state of Missouri for nonpayment, delinquency, or fraud in relation to any state tax imposed by Missouri law;**

**(b) Is a party to an appeal with the Administrative Hearing Commission; or**

**(c) Is a party to a protest with the department of revenue.**

**2. Upon written application by the taxpayer, as prescribed by the director of revenue, and upon compliance with the terms and provisions of this act, the department shall not seek to collect any interest, nor any penalties that may be applicable. In addition, the department shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which amnesty has been granted.**

**3. Amnesty will be granted only to those taxpayers who have applied for amnesty within the period stated in this act, filed a tax return for each taxable period for which amnesty is requested, have paid the entire balance due within 60 days of approval by the department of revenue and agree to comply with Missouri tax laws for the next three years from the date of the agreement. No taxpayer shall be entitled to a waiver of penalty or interest pursuant to this section unless full payment of the tax due is made in accordance with rules and procedures established by the director of revenue.**

**4. There may be imposed a collection fee, not to exceed 25% of the delinquent tax amount, which shall not be subject to waiver or abatement, in addition to all other penalties and interest otherwise authorized by law, upon any tax liabilities eligible to be satisfied during the period established pursuant to subsection 1 of this section that are not satisfied during the amnesty period.**

**5. If a taxpayer elects to participate in the program established pursuant to this section, as that election shall be evidenced by full payment of the tax due as established by the director of revenue, then that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment pursuant to this section shall be eligible for refund or credit.**

**6. Nothing in this section shall be interpreted to disallow the department to adjust a taxpayer’s return as a result of a state or federal audit.**

**7. The department may promulgate such rules or regulations or issue administrative guidelines as are necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.**

Section B. Because there is a serious and immediate need for a tax amnesty program for this state, the enactment of section 32.380 is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.380 shall be in full force and effect upon its passage and approval.”.

Speaker Pro Tem Abel assumed the Chair.

Representative Foley offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 3, Section 32.380, Line 16, by inserting after said line the following:

**“8. All new revenues resulting from the enactment of this section shall be deposited in the state school moneys fund as provided in section 166.051, RSMo.”.**

Representative Froelker offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 2.**

*House Substitute Amendment No. 1*  
*for*  
*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 for House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 3, Section 32.380, Line 16, by inserting after said line the following:

**“8. Fifty percent of all new revenues resulting from the enactment of this section shall be deposited in the rainy day fund as provided in section 33.285, RSMo.”.**

Representative Froelker moved that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

**House Amendment No. 1 to House Amendment No. 2** was withdrawn.

Representative Foley offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 3, Section 32.380, Line 16, by inserting after said line the following:

**“8. All new revenues resulting from the enactment of this section shall be deposited in the state school moneys fund as provided in section 166.051, RSMo, other than revenues earmarked by the state constitution.”.**

On motion of Representative Foley, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Portwood offered **House Amendment No. 2 to House Amendment No. 2.**

*House Amendment No. 2  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 2, Section 32.380, by deleting all of subsection 4 of said section and renumber accordingly.

On motion of Representative Portwood, **House Amendment No. 2 to House Amendment No. 2** was adopted by the following vote:

AYES: 111

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Britt
Burcham	Burton	Byrd	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Franklin	Froelker	Gaskill
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Jolly	Kelley 47	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Shoemaker
Smith	St. Onge	Surface	Townley	Treadway
Van Zandt	Vogel	Ward	Willoughby	Wilson 42
Wright				

NOES: 039

Barry 100	Bland	Bowman	Boykins	Bray 84
Brooks	Campbell	Carnahan	Copenhaver	Curls
Farnen	Foley	Fraser	Gambaro	George
Harding	Harlan	Haywood	Hickey	Hilgemann
Johnson 61	Johnson 90	Kelly 27	Lowe	Mays 50
O'Toole	Reynolds	Scheve	Selby	Shoemyer
Skaggs	Thompson	Villa	Wagner	Walton
Whorton	Williams	Wilson 25	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Green 73	Hagan-Harrell	Hoppe	Luetkenhaus
McKenna	O'Connor	Overschmidt	Troupe	

VACANCIES: 004

Representative Byrd offered **House Amendment No. 3 to House Amendment No. 2.**

*House Amendment No. 3*  
to  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 1, Section 32.380, Lines 2 through 3, by striking the phrase “**administered by the Department of Revenue**” and insert in its stead the phrase “**due to the state of Missouri.**”.

On motion of Representative Byrd, **House Amendment No. 3 to House Amendment No. 2** was adopted.

On motion of Representative Harding, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 115

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambara	George
Graham	Gratz	Green 15	Green 73	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Holt	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	King	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Nordwald	O'Toole
Ostmann	Portwood	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Rizzo	Roark
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 036

Ballard	Bartelsmeyer	Bartle	Behnen	Berkstresser
Boatright	Byrd	Cierpiot	Cunningham	Gaskill



Griesheimer	Hegeman	Henderson	Hunter	Kelley 47
Kelly 144	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Murphy	Myers	Naeger
Phillips	Purgason	Reinhart	Richardson	Ridgeway
Robirds	Ross	Schwab	Surface	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Froelker	Hagan-Harrell	Hollingsworth	Hoppe	O'Connor
Overschmidt	Scheve	Troupe		

VACANCIES: 004

On motion of Representative Bray, **HCS HBs 1150, 1237 & 1327, as amended**, was adopted.

On motion of Representative Bray, **HCS HBs 1150, 1237 & 1327, as amended**, was ordered perfected and printed.

### THIRD READING OF HOUSE BILL - CONSENT

**HB 1151**, relating to trusts, was taken up by Representative Smith.

On motion of Representative Smith, **HB 1151** was read the third time and passed by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields

Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Brooks	Franklin	Froelker	Hagan-Harrell	Hollingsworth
Hoppe	Lograsso	McKenna	O'Connor	Overschmidt
Scheve	Troupe	Willoughby		

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

### **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 278** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were referred to the Committee indicated:

**HB 1102** - Budget  
**HB 1103** - Budget  
**HB 1104** - Budget  
**HB 1108** - Budget  
**HB 1112** - Budget  
**HB 1120** - Budget

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1371** - Ways and Means  
**HB 1833** - Ways and Means  
**HB 1837** - Agriculture  
**HB 1877** - Budget

### **RE-REFERRAL OF HOUSE BILLS**

The following House Bills were re-referred to the Committee indicated:

**HB 1556** - Commerce and Economic Development

**HB 1662** - Commerce and Economic Development

**HB 1834** - Local Government and Related Matters

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SS #2 SB 650** - Judiciary

### **COMMITTEE REPORT**

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1348**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 16**, introduced by Representative Farnen, et al, to request the Joint Committee on the Library of Congress to approve the replacement of a statue in the Statuary Hall of the Capitol of the United States.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 49**, introduced by Representatives Graham, McKenna, Curls, Reynolds and Wilson (42), relating to the state revenue limit.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1890**, introduced by Representatives Hilgemann, Cooper and Gambaro, relating to the sales tax and refund procedures related to mobile telecommunications services.

**HB 1891**, introduced by Representative Smith, relating to local sales taxes.

**HB 1892**, introduced by Representative Berkstresser, relating to reimbursement of expenses in condemnation and inverse condemnation proceedings.

**HB 1893**, introduced by Representative Barry, relating to the deaf and hard of hearing.

**HB 1894**, introduced by Representatives Black, Myers, Moore, King, Jetton, Merideth, Barnitz and Quinn, et al, relating to the powers and duties of the state transportation commission.

**HB 1895**, introduced by Representatives Carnahan, Monaco, Byrd, Bland, Crowell, Bowman and Johnson (90), et al, relating to the criminal records and justice information advisory committee.

**HB 1896**, introduced by Representatives Barry, Fraser and Gratz, et al, relating to a sales tax exemption for health and fitness centers.

**HB 1897**, introduced by Representatives Gratz, Koller, Lowe, Lawson, Green (15), Legan and Berkowitz, et al, relating to cost-of-living adjustments for state employees.

**HB 1898**, introduced by Representatives Campbell and Reinhart, relating to a tax on licensed retail pharmacies in this state.

**HB 1899**, introduced by Representatives Gratz, Koller, Barry, Crump, Green (15) and Scheve, et al, relating to state aid for public schools.

**HB 1900**, introduced by Representative Scott, relating to the state legal expense fund.

**HB 1901**, introduced by Representatives Hilgemann and Carnahan, relating to paraprofessional teacher assistants.

**HB 1902**, introduced by Representative Kelley (47), relating to the emancipation of seventeen year olds.

**HB 1903**, introduced by Representative Liese, relating to reinsurance.

**HB 1904**, introduced by Representative Britt, relating to assaults on the property of hospital emergency rooms and trauma centers.

**HB 1905**, introduced by Representatives Moore, Crawford and Shoemaker (8), et al, relating to salary adjustments for state employees.

**HB 1906**, introduced by Representative Green (73), relating to state funds.

**HB 1907**, introduced by Representatives King, Myers and Franklin, et al, relating to purple martins.

**HB 1908**, introduced by Representative O'Connor, relating to salvage vehicles.

**HB 1909**, introduced by Representative O'Connor, relating to licensing of motor vehicle and boat dealers.

**HB 1910**, introduced by Representatives Barry, Hoppe, Hendrickson and Phillips, relating to assisted living facilities.

**HB 1911**, introduced by Representatives Selby, Dempsey, Luetkenhaus, Dolan, Bearden, Naeger and Reid, relating to the disposition of fetal remains act.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 720**, entitled:

An act to repeal sections 52.300 and 54.330, RSMo, relating to bonds for deputies for county collectors and treasurer ex officio collectors, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 758**, entitled:

An act to repeal section 589.400, RSMo, relating to registration of offenders, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

### WITHDRAWAL OF HOUSE BILL

February 12, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

I wish to withdraw **HB 1442** from consideration by the General Assembly.

Thank you for your consideration of this request.

Sincerely,

/s/ Randall Relford  
Sixth District

## **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Wednesday, February 13, 2002.

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 7.

FAPRI public testimony.

Executive Session may follow.

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 5.

Mark-up.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 13, 2002. Hearing Room 1 upon adjournment.

Mark-up. AMENDED.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 13, 2002, 6:00 p.m. Hearing Room 6.

Mark-up.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Thursday, February 14, 2002. Hearing Room 7 upon adjournment.

Mark-up.

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Wednesday, February 13, 2002. Hearing Room 6 upon adjournment.

Possible Executive Session. AMENDED.

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Tuesday, February 19, 2002. Hearing Room 6 upon adjournment.

Mark-up.

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Wednesday, February 20, 2002. Hearing Room 6 upon adjournment.

Mark-up.

### **APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, February 13, 2002. Hearing Room 5 upon adjournment.

Mark-up.

Department of Natural Resources.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 13, 2002. Hearing Room 3 upon adjournment.  
Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 14, 2002, 8:30 a.m. Hearing Room 7.  
To be considered - HB 1104

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 3.  
Executive Session may follow.  
To be considered - HB 1337, HB 1501, HB 1503, HB 1676

BUDGET

Wednesday, February 13, 2002, 9:00 a.m. Hearing Room 3.  
Possible Executive Session. AMENDED.  
To be considered - HB 1115

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 1.  
Executive Session may follow.  
To be considered - HB 1195, HB 1523, HB 1579

CRIMINAL LAW

Wednesday, February 13, 2002, 8:00 p.m. Hearing Room 7. AMENDED.  
Executive Session will follow.  
To be considered - HB 1430, HB 1433, HB 1447, HB 1483, HB 1490

EDUCATION - HIGHER

Wednesday, February 13, 2002, 3:00 p.m. Hearing Rm.6.  
Executive Session on any bills that have been heard. AMENDED.  
To be considered - HB 1351, HB 1522, HB 1527, HB 1648

ETHICS

Wednesday, February 13, 2002. Side gallery upon morning adjournment.

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Wednesday, February 13, 2002, 2:00 p.m. Hearing Room 2.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 13, 2002, 8:00 a.m. Hearing Room 6. AMENDED.  
To be considered - HB 1066, HB 1350, HB 1393, HB 1588, HB 1627, HR 26,  
HR 124, HR 136, HR 137

**MUNICIPAL CORPORATIONS**

Wednesday, February 13, 2002, 3:00 p.m. Hearing Room 4.

To be considered - HB 1194, HB 1209

**RETIREMENT**

Wednesday, February 13, 2002, 8:00 p.m. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1223, HB 1426, HB 1453, HB 1455

**SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Wednesday, February 13, 2002. Hearing Room 7 upon adjournment.

Executive Session may follow.

To be considered - HB 1435, HB 1589, HB 1729

**SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION**

Thursday, February 14, 2002, 8:30 a.m. Room 207a.

**UTILITIES REGULATION**

Wednesday, February 13, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1482, HB 1500

**WAYS AND MEANS**

Wednesday, February 13, 2002. Side gallery upon adjournment.

Executive Session.

**WORKERS COMPENSATION AND EMPLOYMENT SECURITY**

Monday, February 18, 2002, 8:00 p.m. Hearing Room 6.

To be considered - HB 1273, HB 1274, HB 1275, HB 1276, HB 1277, HB 1280, HB 1546

**HOUSE CALENDAR**

TWENTY-FIRST DAY, WEDNESDAY, FEBRUARY 13, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 16

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 49

**HOUSE BILLS FOR SECOND READING**

HB 1890 through HB 1911



**HOUSE BILL FOR PERFECTION**

HCS HB 1711 - Graham

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILL FOR THIRD READING**

HCS HB 1134, 1100 & 1559 - Relford

**SENATE BILLS FOR SECOND READING**

1     SB 720

2     SB 758

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTY-FIRST DAY, WEDNESDAY, FEBRUARY 13, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, we give thanks for life this day and for the life of our families, friends and all in this state. Bless the men and women of the House and their staff, as they seek to be useful in serving others. Strengthen them in all good and protect them from meanness of spirit. As they set to work, we offer the prayer of Reinhold Niebhr:

God, grant me the serenity to accept the things I cannot change,  
The courage to change the things I can,  
And the wisdom to know the difference.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twentieth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 294	-	Representative Green (73)
House Resolution No. 295	-	Representative Abel
House Resolution No. 296		
through		
House Resolution No. 298	-	Representative Phillips
House Resolution No. 299	-	Representative Miller
House Resolution No. 300	-	Representative Portwood, et al
House Resolution No. 301	-	Representative Davis, et al
House Resolution No. 302	-	Representative Fraser
House Resolution No. 303	-	Representative Harlan, et al
House Resolution No. 304	-	Representatives Treadway and Liese

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 16** was read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 49** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1890** through **HB 1911** were read the second time.

## SECOND READING OF SENATE BILLS

**SB 720** and **SB 758** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 1150, 1237 & 1327**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## THIRD READING OF HOUSE BILL

**HCS HBs 1134, 1100 & 1559**, relating to the Conservation Commission, was taken up by Representative Relford.

On motion of Representative Relford, **HCS HBs 1134, 1100 & 1559** was read the third time and passed by the following vote:

AYES: 157

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh

May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Hagan-Harrell            Monaco

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 15** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 1773** - Municipal Corporations

### **COMMITTEE REPORTS**

**Committee on Criminal Law**, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1498**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Elections**, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1342**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1492**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1495**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Ethics**, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred additions to the **Freshmen Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

September 13, 2001

Rep. Robert Clayton, Chairman  
Ethics Committee  
State Capitol Room 413A

Dear Rep. Clayton,

Please add Representatives Mike Daus, John Quinn, and Jim Whorton to the membership of the Freshman Caucus.

Their signatures consenting to this action is included on this request.

Sincerely,

/s/ Rep. Carl Bearden

/s/ Rep. Mike Daus	District 67
/s/ Rep. John Quinn	District 7
/s/ Rep. Jim Whorton	District 3

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September 13, 2001

Rep. Robert Clayton, Chairman  
Ethics Committee  
State Capitol Room 413A

Dear Rep. Clayton,

Please add Representative Chris Shoemaker to the membership of the Freshman Caucus.

Their signatures consenting to this action is included on this request.

Sincerely,

/s/ Rep. Carl Bearden

/s/ Rep. Chris Shoemaker	District 8
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**Committee on Ethics**, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred additions to the **Millennium Majority Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To: Rep. Robert Clayton  
Chairman, House Ethics Committee

From: Rep. Bob Behnen  
Chairman, Millennium Majority Caucus

Subject: Addition

I respectfully request that Rep. John Quinn and Rep. Chris Shoemaker be added to the Millennium Majority Caucus.

/s/ John Quinn - District #7

/s/ Chris Shoemaker - District #8

Mr. Speaker: Your Committee on Ethics, to which was referred additions to the **Rural Democrats Caucus**, begs leave to report it has examined the same **approves it pursuant to 105.473(2)(c)d RSMo.**

February 5, 2002

Honorable Robert Clayton  
Chairman  
House Ethics Committee  
Capitol Building  
Room 413A  
Jefferson City, MO 65101

Dear Representative Clayton:

I respectfully request Representative Jim Whorton, District 3, be added to the roster of members for the Rural Democrats Caucus.

Thank you for your consideration of this request.

Sincerely,

/s/ Denny Merideth, III  
State Representative  
District 162

/s/ Jim Whorton - District 3

Mr. Speaker: Your Committee on Ethics, to which was referred the **Truman Area Legislators' Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To:                 Robert M. Clayton, III  
                         House Ethics Committee

From:              Rep. Ralph Monaco

Date:                February 4, 2002

Re:                  Truman Area Legislators' Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, I would like to seek approval for the Truman Area Legislators' Caucus. The Chairman of the Caucus will be Ralph A. Monaco (49). Attached you will find the name and district number of the members of this Caucus.

Truman Area Legislators' Caucus

Senators:

/s/ Ronnie DePasco (11)  
/s/ Bill Kenney (8)  
/s/ James Mathewson (21)

Representatives:

/s/ Dennis Bonner (51)  
/s/ Connie Cierpiot (52)  
/s/ Ralph Monaco (49)  
/s/ Carson Ross (55)  
/s/ Don Lograsso (54)  
/s/ Carol Jean Mays (50)  
/s/ Pat Kelley (47)  
/s/ Dick Franklin (53)  
/s/ Matt Bartle (56)  
/s/ Melba Curls (41)  
/s/ Yvonne Wilson (42)  
/s/ Craig Bland (43)

Mr. Speaker: Your Committee on Ethics, to which was referred the **Western Missouri River Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To:                 Representative Robert Clayton, Chairman  
                         House Ethics Committee

From:              Representative Bill Skaggs

Date:                January 28, 2002

Subject:            Western Missouri River Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo, I would like to request a hearing and approval for the Western Missouri River Caucus.

A listing of the members of the 91<sup>st</sup> General Assembly, Second Regular Session Western Missouri River Caucus is attached.

<u>District</u>	<u>Name</u>
6	/s/ Randall Relford
26	/s/ Jim Seigfreid
30	/s/ Meg Harding
31	/s/ Bill Skaggs
33	/s/ Phil Willoughby
38	/s/ Tim Van Zandt
39	/s/ Marsha Campbell
44	/s/ Jenee Lowe
45	/s/ Cathy Jolly
53	/s/ Dick Franklin
122	/s/ D.J. Davis

Mr. Speaker: Your Committee on Ethics, to which was referred additions to the **Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

Date: January 29, 2002

To: Rep. Robert Clayton  
Chairman, House Ethics Committee

From: Rep. Blaine Luetkemeyer  
Chairman, Minority Caucus

Subject: New Caucus Members

I respectfully ask that John Quinn and Chris Shoemaker be added to the Republican Caucus.

/s/ John Quinn - 7<sup>th</sup> District /s/ Chris Shoemaker - 8<sup>th</sup> District

**Committee on Insurance**, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1375**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1381**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 26**, begs leave to report it has examined the same and recommends that it **Do Pass.**



HOUSE RESOLUTION NO. 26

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Missouri Jaycees organization has sought to instill leadership qualities in its members through its excellent mock legislature program; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for the purpose of their governmental and citizenship programs:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the Missouri Jaycees permission to use the House Chamber for the purpose of holding the Thirty-third Annual Missouri Jaycee Mock Legislature on Saturday, November 2, 2002.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 124**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 124

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Girl Scouts have sought to instill values of high integrity and citizenship within our youth and to provide them with an opportunity to experience state government firsthand; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for beneficial purposes; and

WHEREAS, the Girl Scouts provide their members with an opportunity to earn a merit badge for learning about the legislative process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the Girl Scouts permission to use the House Chamber for the purpose of earning merit badges on Saturday, June 1, 2002, from 8:00 a.m. until 12:00 p.m.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 137**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 137

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the processes of democratic government through a format of direct role playing experience; and

WHEREAS, from June 23 to June 29, 2002, the American Legion Auxiliary, Department of Missouri, will conduct the 61st Annual Session of Missouri Girls State; and

WHEREAS, an important highlight of this event will be conducting a mock legislative session in the House Chamber at our State Capitol, where participants gather each year to gain a more realistic insight into official governmental and electoral proceedings:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the adult leaders and participants of the 61st Annual Session of the Missouri Girls State permission to use the House Chamber for the purpose of swearing in mock legislative officials on the afternoon of Tuesday, June 22, 2002, from 1:30 p.m. to 3:30 p.m.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 136**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### HOUSE RESOLUTION NO. 136

WHEREAS, the members of the Missouri House of Representatives deem it both proper and necessary to maintain a cooperative relationship between our state's governmental bodies and the legal system; and

WHEREAS, the General Assembly has a long tradition of granting the use of its House and Senate Chambers for the purposes of official functions:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the Eastern and Western District Federal Courts of Missouri permission to use the House Chamber for the purpose of swearing in newly-licensed members of the Missouri Bar on Friday, April 26, 2002, from 10:00 a.m. until 12:00 p.m. and on Friday, September 27, 2002, from 10:00 a.m. until 12:00 p.m.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1421**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1451**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 1398**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

#### INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 50**, introduced by Representative Green (73), relating to the budget control fund.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1912**, introduced by Representative Cunningham, et al, relating to the taxation of property.

**HB 1913**, introduced by Representative Kelly (27), relating to ambulance services.

**HB 1914**, introduced by Representative Mays (50), relating to the funding of the public service commission and office of public counsel.

**HB 1915**, introduced by Representative Hollingsworth, relating to consolidation of all higher education scholarship programs.

**HB 1916**, introduced by Representative Franklin, relating to election of school board members in certain urban school districts.

**HB 1917**, introduced by Representative Hollingsworth, relating to permanency in the placement of children.

**HB 1918**, introduced by Representative Koller, relating to avoidance of weigh stations.

**HB 1919**, introduced by Representative Treadway, relating to the licensure of mental health professionals.

**HB 1920**, introduced by Representatives Liese, Ransdall, Troupe, Legan, Gratz, Hanaway and Green (73), et al, relating to the vocational enterprises program.

**HB 1921**, introduced by Representative Green (73), relating to the authority of the director of the division of credit unions to examine certain credit unions.

**HB 1922**, introduced by Representatives Green (73), Hanaway, O'Toole, McKenna, Wagner, St. Onge, Bearden and Dempsey, et al, relating to regional transportation development districts.

**HB 1923**, introduced by Representatives Barry, O'Connor, Haywood, Selby, Lowe, Kelly (36) and Moore, et al, relating to nurse staffing plans.

**HB 1924**, introduced by Representatives Wagner and McKenna, relating to property tax exemptions.

**HB 1925**, introduced by Representatives Hanaway, Portwood, Ostmann, Reinhart, Behnen, Quinn and Jetton, et al, relating to the foster care reimbursement rate.

**HB 1926**, introduced by Representatives Fraser, Kreider, Barry, Foley, Hilgemann, Kelly (27), Carnahan, Thompson, Curls, Johnson (90), Crump, Riback Wilson (25) and Lawson, et al, relating to the extension of the termination date of the children's health program.

**HB 1927**, introduced by Representatives Reynolds, Luetkenhaus, Shoemaker (8), Copenhaver, Hendrickson and Walton, relating to reimbursement of residential care facilities providing care to children in the custody of the state.

**HB 1928**, introduced by Representatives Overschmidt, Lawson and Robirds, et al, relating to the tourism supplemental revenue fund.

**HB 1929**, introduced by Representative Burton, relating to the public service commission.

**HB 1930**, introduced by Representative Burton, relating to the establishment of the electronic government services act.

**HB 1931**, introduced by Representatives Johnson (61) and Daus, et al, relating to police officers.

**HB 1932**, introduced by Representative George, relating to employment security.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 37**.

#### **SENATE CONCURRENT RESOLUTION NO. 37**

WHEREAS, cancer is a leading cause of morbidity and mortality in the State of Missouri and throughout the Nation; and

WHEREAS, cancer is disproportionately a disease of the elderly, with more than half of all cancer diagnoses occurring in persons 65 years of age or older who are thus dependent on the federal Medicare program for provision of cancer care; and

WHEREAS, since treatment with anti-cancer drugs is the cornerstone of modern cancer care, elderly cancer patients must have access to potentially life-extending drug therapy, but the Medicare program's coverage of drugs is limited to injectable drugs or oral drugs that have an injectable version; and

WHEREAS, the Nation's investment in biomedical research has begun to bear fruit with a compelling array of new oral anti-cancer drugs that are less toxic, more effective, and more cost-effective than existing therapies, but because such drugs do not have an injectable equivalent, they are not covered by Medicare; and

WHEREAS, noncoverage of these important new products leaves many Medicare beneficiaries confronting the choice of either substantial out-of-pocket personal costs or selection of more toxic, less effective treatments that are covered by the program; and

WHEREAS, Medicare's failure to cover oral anti-cancer drugs leaves at risk many beneficiaries suffering from blood-related cancers like leukemia, lymphoma, and myeloma, as well as cancers of the breast, lung, and prostate; and

WHEREAS, certain members of the United States Congress have recognized the necessity of Medicare coverage for all oral anti-cancer drugs and introduced legislation in the 107th Congress to achieve such result (H.R. 1624 and S. 913):

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, respectfully urge the United States Congress to adopt legislation requiring the Medicare program to cover all oral anti-cancer drugs; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Secretary of Health and Human Services, the Administrator of the Centers for Medicare and Medicaid Services, and each member of the Missouri Congressional Delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 644**, entitled:

An act to amend chapter 301, RSMo, by adding thereto one new section relating to veterans license plates for motorcycles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 669**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to community improvement districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 701**, entitled:

An act to repeal sections 305.120, 305.130 and 305.140, RSMo, relating to the operation of aircraft, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 726**, entitled:

An act to repeal section 9.130, RSMo, relating to Emergency Services Day, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 737**, entitled:

An act to amend chapter 301, RSMo, by adding thereto one new section relating to license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 745**, entitled:

An act to amend chapter 301, RSMo, by adding thereto one new section relating to specialized license plates.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Monaco.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 14, 2002.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Twentieth Day, Tuesday, February 12, 2002, pages 250 and 251, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Thursday, February 14, 2002. Hearing Room 7 upon adjournment.  
Mark-up. CANCELLED.

#### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Tuesday, February 19, 2002. Hearing Room 6 upon adjournment.  
Mark-up.

#### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Wednesday, February 20, 2002. Hearing Room 6 upon adjournment.  
Mark-up.

#### **APPROPRIATIONS - SOCIAL SERVICES**

Monday, February 18, 2002, 11:00 a.m. Hearing Room 3.  
Department of Social Services

#### **APPROPRIATIONS - TRANSPORTATION**

Thursday, February 14, 2002, 8:30 a.m. Hearing Room 7.  
To be considered - HB 1104

ENVIRONMENT AND ENERGY

Thursday, February 14, 2002, 8:30 a.m. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1347

JUDICIARY

Thursday, February 14, 2002, 9:00 a.m. Hearing Room 6.

To be considered - Executive Session - SB 650

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Thursday, February 14, 2002, 8:30 a.m. Room 207a.

UTILITIES REGULATION

Thursday, February 14, 2002. Side gallery upon adjournment.

Executive Session.

To be considered - HB 1388, HB 1402

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 18, 2002, 8:00 p.m. Hearing Room 6.

To be considered - HB 1273, HB 1274, HB 1275, HB 1276, HB 1277, HB 1280, HB 1546

**HOUSE CALENDAR**

TWENTY-SECOND DAY, THURSDAY, FEBRUARY 14, 2002

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 50

**HOUSE BILLS FOR SECOND READING**

HB 1912 through HB 1932

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1711 - Graham
- 2 HB 1498 - Johnson (90)
- 3 HCS HB 1398 - Ward
- 4 HCS HB 1451 - Kreider

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILL FOR THIRD READING**

HCS HB 1150, 1237 & 1327 - Bray

**SENATE CONCURRENT RESOLUTION FOR SECOND READING**

SCR 37

**SENATE BILLS FOR SECOND READING**

- 1 SB 644
- 2 SCS SB 669
- 3 SB 701
- 4 SB 726
- 5 SCS SB 737
- 6 SCS SB 745

**HOUSE RESOLUTIONS**

- 1 HR 26 (02-13-02) - Gratz
- 2 HR 124 (02-13-02) - Harding
- 3 HR 136 (02-13-02) - Harlan
- 4 HR 137 (02-13-02) - Williams



# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTY-SECOND DAY, THURSDAY, FEBRUARY 14, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Lord of Life, we live and move in Your world and by Your grace. Grant to us this day, that we may face what You send, with the strength You supply, when called to be faithful and loyal, let us not seek a way around You and, may the sins of yesterday not be repeated this day.

Grant to these men and women of the House and their staff, that they find friendship, laughter and good work before them. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-first day was approved as printed by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Jolly	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs

Smith	St. Onge	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 017

Boykins	Bray 84	Brooks	Cierpiot	Franklin
Hagan-Harrell	Hollingsworth	Johnson 61	Johnson 90	Kelley 47
Lograsso	Merideth	Relford	Surface	Troupe
Walton	Williams			

VACANCIES: 004

## HOUSE RESOLUTION

**House Resolution No. 294** was taken up by Representative Green (73) and read.

### HOUSE RESOLUTION NO. 294

WHEREAS, it is with heavy hearts that the members of the Missouri House of Representatives pause to acknowledge the significant achievements of a life gone by, that of Richard R. "Rick" Nilges, who passed to his eternal reward on October 18, 2001; and

WHEREAS, Rick Nilges came into this world in Quantico, Virginia, on January 11, 1954, as the tiny infant son born to proud and loving parents Bob and Janet R. Andresen Nilges, who welcomed him into their hearts as a precious gift from God; and

WHEREAS, a 1972 graduate of Jefferson City High School, Rick Nilges received his Bachelor's degree in Business Administration from Lincoln University and his Master's degree in Public Administration from the University of Missouri-Columbia; and

WHEREAS, on July 13, 1974, Rick Nilges embarked upon a new and exciting chapter in his life when he married Martha Kaye Stark, with whom he shared many special times until his departure from this world; and

WHEREAS, a certified government financial manager, Rick Nilges worked as a Budget Analyst with the House Appropriations staff of the Missouri House of Representatives for twenty years and served the Fourth Ward on the Jefferson City Council from 1992 to 2000; and

WHEREAS, Rick Nilges derived a tremendous amount of personal satisfaction from the important role he played as a coach for the Park Board's baseball and softball teams and bowling teams with the Youth Bowling Association, Jefferson City middle schools, and Jefferson City High School, and member of the Fraternal Order of the Eagles, Aerie 2693, the Jefferson City Bowling Association, the Cole County Chapter of the Missouri Alumni Association, and the Babe Ruth Baseball Association; and

WHEREAS, a devout member of the First United Methodist Church, Rick Nilges leaves behind to cherish his memory his wife of twenty-seven years, Kaye Nilges; his two children, Leslie K. Nilges and Jason R. Nilges; his parents, Bob and Janet Nilges; and his brother, Jim E. Nilges:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in paying final tribute to Rick Nilges, an exceptional individual, revered colleague, and devoted friend who will be sadly missed by all those who had the distinct pleasure of knowing and loving him; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the loved ones of the late Richard R. Nilges, as an expression of our deepest sympathy.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 305 - Representative Ross  
House Resolution No. 306 - Representative Johnson (61)  
House Resolution No. 307 - Representative Champion  
House Resolution No. 308 - Representative Wilson (42), et al  
House Resolution No. 309 - Representative Wilson (42)  
House Resolution No. 310 - Representative Sanders Brooks, et al  
House Resolution No. 311 - Representative Ladd Baker  
House Resolution No. 312 - Representative Clayton  
House Resolution No. 313 - Representative Moore  
House Resolution No. 314 - Representative Barry, et al  
House Resolution No. 315  
and  
House Resolution No. 316 - Representative Barry

### **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 50** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1912** through **HB 1932** were read the second time.

### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 37** was read the second time.

### **SECOND READING OF SENATE BILLS**

**SB 644**, **SCS SB 669**, **SB 701**, **SB 726**, **SCS SB 737** and **SCS SB 745** were read the second time.

### **PERFECTION OF HOUSE BILL**

**HCS HB 1711**, relating to state school aid, was taken up by Representative Graham.

Representative St. Onge offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1711, Page 5, Section 163.011, Line 154, by inserting after all of said line the following:

**“Section 1. Notwithstanding the provisions of subsection 3 of section 163.031, the individual proration factors used for each line of categorical funding in the school funding formula shall be no less than the proration factor used on line 1(a) of the school funding formula as set out in subsection 6 of section 163.031.”; and**

Further amend title, enacting clause, and intersectional references accordingly.

Representative St. Onge moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 028

Bartelsmeyer	Bearden	Byrd	Cierpiot	Cooper
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Gratz	Griesheimer	Hanaway	Hendrickson
Hohulin	Kelley 47	Kelly 144	Linton	Lograsso
Naeger	Nordwald	Portwood	Ridgeway	Secrest
St. Onge	Treadway	Vogel		

NOES: 115

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crawford	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	George	Graham	Green 15	Green 73
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Kelly 27	Kelly 36	King	Lawson
Legan	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Myers	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Thompson	Townley	Van Zandt	Villa
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 016

Ballard	Brooks	Gaskill	Hagan-Harrell	Hollingsworth
Johnson 61	Jolly	Koller	Liese	Long
Moore	Murphy	Relford	Scheve	Surface
Troupe				

VACANCIES: 004

On motion of Representative Graham, **HCS HB 1711** was adopted.

On motion of Representative Graham, **HCS HB 1711** was ordered perfected and printed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 11** - Miscellaneous Bills & Resolutions  
**HCR 12** - Social Services, Medicaid and the Elderly  
**HCR 13** - Social Services, Medicaid and the Elderly  
**HCR 14** - Agriculture  
**HCR 16** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 45** - Fiscal Review and Government Reform  
**HJR 48** - Commerce and Economic Development

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HBs 1150, 1237 & 1327** - Fiscal Review and Government Reform (Fiscal Note)  
**HB 1129** - Commerce and Economic Development  
**HB 1407** - Ways and Means  
**HB 1569** - Environment and Energy  
**HB 1701** - Insurance  
**HB 1702** - Sportsmanship, Safety and Firearms  
**HB 1703** - Ways and Means  
**HB 1704** - Ways and Means  
**HB 1705** - Local Government and Related Matters  
**HB 1706** - Professional Registration and Licensing  
**HB 1707** - Motor Vehicle and Traffic Regulations  
**HB 1708** - Municipal Corporations  
**HB 1709** - Ways and Means

- HB 1710** - Education-Higher
- HB 1712** - Judiciary
- HB 1714** - Motor Vehicle and Traffic Regulations
- HB 1715** - Judiciary
- HB 1716** - Local Government and Related Matters
- HB 1717** - Miscellaneous Bills & Resolutions
- HB 1718** - Children, Families and Health
- HB 1719** - Social Services, Medicaid and the Elderly
- HB 1720** - Local Government and Related Matters
- HB 1721** - Education-Elementary and Secondary
- HB 1722** - Criminal Law
- HB 1724** - Retirement
- HB 1725** - Education-Elementary and Secondary
- HB 1726** - Education-Elementary and Secondary
- HB 1727** - Ways and Means
- HB 1728** - Ways and Means
- HB 1730** - Criminal Law
- HB 1731** - Insurance
- HB 1732** - Local Government and Related Matters
- HB 1733** - Professional Registration and Licensing
- HB 1734** - Retirement
- HB 1735** - Local Government and Related Matters
- HB 1736** - Education-Elementary and Secondary
- HB 1737** - Criminal Law
- HB 1739** - Ways and Means
- HB 1740** - Education-Elementary and Secondary
- HB 1741** - Insurance
- HB 1742** - Workers Compensation and Employment Security
- HB 1743** - Professional Registration and Licensing
- HB 1746** - Transportation
- HB 1747** - Civil and Administrative Law
- HB 1748** - Environment and Energy
- HB 1750** - Environment and Energy
- HB 1751** - Tourism, Recreation and Cultural Affairs
- HB 1752** - Children, Families and Health
- HB 1753** - Commerce and Economic Development
- HB 1754** - Environment and Energy
- HB 1755** - Motor Vehicle and Traffic Regulations
- HB 1756** - Criminal Law
- HB 1757** - Local Government and Related Matters
- HB 1758** - Public Safety, Law Enforcement and Veteran Affairs
- HB 1759** - Criminal Law
- HB 1760** - Criminal Law
- HB 1766** - Judiciary
- HB 1768** - Civil and Administrative Law

**HB 1769** - Local Government and Related Matters  
**HB 1771** - Children, Families and Health  
**HB 1772** - Motor Vehicle and Traffic Regulations  
**HB 1776** - Local Government and Related Matters  
**HB 1777** - Miscellaneous Bills & Resolutions  
**HB 1778** - Motor Vehicle and Traffic Regulations  
**HB 1779** - Motor Vehicle and Traffic Regulations  
**HB 1780** - Civil and Administrative Law  
**HB 1781** - Social Services, Medicaid and the Elderly  
**HB 1782** - Local Government and Related Matters  
**HB 1783** - Education-Elementary and Secondary  
**HB 1784** - Education-Elementary and Secondary  
**HB 1786** - Motor Vehicle and Traffic Regulations  
**HB 1787** - Professional Registration and Licensing  
**HB 1788** - Motor Vehicle and Traffic Regulations  
**HB 1789** - Motor Vehicle and Traffic Regulations  
**HB 1791** - Insurance  
**HB 1792** - Insurance  
**HB 1793** - Education-Elementary and Secondary  
**HB 1794** - Agriculture  
**HB 1795** - Correctional and State Institutions  
**HB 1796** - Professional Registration and Licensing  
**HB 1800** - Workers Compensation and Employment Security  
**HB 1821** - Insurance  
**HB 1822** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1828** - Education-Elementary and Secondary  
**HB 1886** - Commerce and Economic Development  
**HB 1889** - Commerce and Economic Development  
**HB 1894** - Transportation  
**HB 1912** - Ways and Means  
**HB 1918** - Transportation  
**HB 1923** - Children, Families and Health  
**HB 1926** - Children, Families and Health

#### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 1877** - Miscellaneous Bills & Resolutions

## COMMITTEE REPORTS

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1425**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Higher**, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 1086**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 1406**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 1477**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Elections**, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1461** and **HB 1470**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1634**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1093**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1094**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1159**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.



Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1204**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1205**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1214**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1272**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1320**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1391**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1397**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1411**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Utilities Regulation**, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HB 1402**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the first time and copies ordered printed:

**HCR 17**, introduced by Representative Marble, relating to the Federal Unemployment Tax Act funds.

**HCR 18**, introduced by Representatives Wilson (42) and Copenhaver, to request the Department of Elementary and Secondary Education to impanel teachers to address various curriculum and testing issues relating to consumer credit.

**HCR 19**, introduced by Representative Jetton, relating to a constitutional amendment to allow voluntary prayer in public schools.

**HCR 20**, introduced by Representative Crump, relating to the area in the State west of Highway 67, east of Highway 49, south of Highway 32, and north of Highway 72 shall be formally designated as the "Arcadia Valley".

**HCR 21**, introduced by Representatives Boucher and Kreider, relating to the United States Department of Veterans Affairs.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1933**, introduced by Representatives Merideth, Richardson, Franklin and Britt, et al, relating to licensing of auctioneers.

**HB 1934**, introduced by Representatives Merideth, Holand, Richardson, Myers, Black, Britt and Koller, et al, relating to a state employee's leave of absence to perform military duties.

**HB 1935**, introduced by Representative Seigfreid, relating to a municipal transient guest tax.

**HB 1936**, introduced by Representatives Berkowitz, Shoemyer (9), Copenhaver, Davis, Smith, Kreider and Barnitz, et al, relating to agriculture.

**HB 1937**, introduced by Representative Barry, relating to the licensure of clinical perfusionists.

**HB 1938**, introduced by Representatives Barry, Kreider, Crump, Curls, Reid, Ostmann, Portwood, and Holand, et al, relating to health insurance coverage.

**HB 1939**, introduced by Representatives Luetkemeyer and Abel, relating to Medicaid reimbursement for private-pay residents who reside in skilled nursing facilities in excess of one year prior to becoming Medicaid eligible.

**HB 1940**, introduced by Representatives Mayer, Hunter, Crowell, Shoemyer (9), Myers, Britt and Merideth, relating to suspension or expulsion of pupils in public schools.

**HB 1941**, introduced by Representatives Mayer, Hunter, Crowell, Shoemyer (9), Myers, Merideth and Britt, relating to school discipline.

**HB 1942**, introduced by Representatives Reynolds, Burton, O'Connor, Gratz, Gambaro, Holt, Luetkenhaus, Cunningham and Reinhart, et al, relating to protection of recipients of medical services.

**HB 1943**, introduced by Representatives Jolly, Willoughby and Dolan, et al, relating to criminal nonsupport.

**HB 1944**, introduced by Representatives Barnitz, Crump, Hampton and Jetton, relating to firearm crimes.

**HB 1945**, introduced by Representatives Barry, Campbell, Ostmann, Fares, Ridgeway, Williams and Boykins, et al, relating to nonhospital certificates of need.

**HB 1946**, introduced by Representatives Bonner, Monaco and Rizzo, relating to sports and cultural facilities development.

**HB 1947**, introduced by Representatives Reid, Cunningham, Barry, Hosmer and Green (73), relating to a biological agents registry.

**HB 1948**, introduced by Representatives Reid, Davis, George, Barry, Scott, Marble, Mayer, Hendrickson, Cunningham and McKenna, relating to terrorism.

**HB 1949**, introduced by Representatives Curls, Thompson and Barry, relating to state payroll checks.

**HB 1950**, introduced by Representatives Scheve, Whorton and Davis, et al, relating to residential mortgage brokers.

**HB 1951**, introduced by Representatives Hampton, Kelly (144), Hendrickson, Cooper, Naeger and Secrest, et al, relating to elimination of state sales tax on coffins, caskets, and urns.

**HB 1952**, introduced by Representatives Monaco, Crump, Abel, O'Toole and Bowman, et al, relating to coverage for clinical trials.

**HB 1953**, introduced by Representatives Van Zandt, Cierpiot, Riback Wilson (25), Green (73), Enz, Harding, Naeger, Shields and Barry, et al, relating to various advisory committees for the department of health and senior services.

**HB 1954**, introduced by Representatives Riback Wilson (25), Ostmann, Scheve, Bray, Campbell, Fraser and Hosmer, et al, relating to unlawful possession of a firearm by persons subject to a court order for domestic violence.

**HB 1955**, introduced by Representatives Hilgemann, Carnahan, Hosmer, Villa and Daus, relating to victims' rights.

**HB 1956**, introduced by Representatives Hilgemann, Hendrickson, Campbell and Bearden, et al, relating to the uniform planned community act.

**HB 1957**, introduced by Representative Luetkemeyer, relating to the regulation of securities.

**HB 1958**, introduced by Representatives Whorton, Berkowitz, Myers, Barnitz, Merideth and Shoemyer (9), et al, relating to merchandising practices.

**HB 1959**, introduced by Representative Shields, relating to fees for certain special license plates.

**HB 1960**, introduced by Representatives Monaco, Sanders Brooks, Walton and Copenhaver, et al, relating to taxation of tobacco products.

**HB 1961**, introduced by Representative Ransdall, relating to enterprise zones.

**HB 1962**, introduced by Representatives Monaco, Crowell, Smith, Hosmer, Willoughby and Villa, et al, relating to courts.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 695**, entitled:

An act to repeal section 210.170, RSMo, relating to the children's trust fund board, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 702**, entitled:

An act to amend chapter 209, RSMo, by adding thereto one new section relating to rehabilitation services for the blind and visually impaired.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 896**, entitled:

An act to repeal sections 326.256, 326.271, 326.280, 326.283, 326.286, 326.289 and 326.292, RSMo, relating to public accountants, and to enact in lieu thereof seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

**MESSAGE FROM THE GOVERNOR**

EXECUTIVE OFFICE  
February 14, 2002

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
SECOND REGULAR SESSION  
91<sup>st</sup> GENERAL ASSEMBLY  
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill Nos. 1386 & 1038** entitled:

"AN ACT"

To repeal section 307.173, RSMo, and to enact in lieu thereof one new section relating to tinted windows, with a penalty provision and an emergency clause.

On February 14, 2002, I approved said **House Committee Substitute for House Bill Nos. 1386 & 1038**.

Respectfully submitted,

/s/ Bob Holden  
Governor

**WITHDRAWAL OF HOUSE BILL**

February 14, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

I request that **HB 1345**, relating to mandatory school transportation of, and a tax credit for the transportation of, nonpublic school students be withdrawn from consideration.

Thank you for your consideration of this request.

Sincerely,

/s/ Patrick Naeger  
State Representative District 155

**ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, February 18, 2002.

## COMMITTEE MEETINGS

### APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Monday, February 18, 2002, 12:00 p.m. Hearing Room 1.

Mark-up.

### APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 19, 2002. Hearing Room 7 upon adjournment.

Mark-up.

### APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 20, 2002. Hearing Room 7 upon adjournment.

Mark-up.

### APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 19, 2002. Hearing Room 6 upon adjournment.

Mark-up.

### APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 20, 2002. Hearing Room 6 upon adjournment.

Mark-up.

### APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 18, 2002, 12:00 p.m. Hearing Room 5.

Mark-up continued.

Department of Agriculture and the Department of Labor and Industrial Relations.

### APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 19, 2002. Hearing Room 5 upon adjournment.

Mark-up continued.

Department of Economic Development.

### APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 20, 2002. Hearing Room 5 upon adjournment.

Markup continued.

Department of Natural Resources.

### APPROPRIATIONS - SOCIAL SERVICES

Monday, February 18, 2002, 11:00 a.m. Hearing Room 3.

Department of Social Services

### APPROPRIATIONS - TRANSPORTATION

Wednesday, February 20, 2002, 8:30 am. Hearing Room 7.

Mark-up.

**APPROPRIATIONS - TRANSPORTATION**

Thursday, February 21, 2002, 8:30 a.m. Hearing Room 7.  
Mark-up.

**CIVIL AND ADMINISTRATIVE LAW**

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 1.  
Executive Session to follow.  
To be considered - HB 1555, HB 1621, HB 1693

**COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 6.  
To be considered - HB 1556, HB 1662

**CORRECTIONAL & STATE INSTITUTIONS**

Tuesday, February 19, 2002, 8:00 p.m. Hearing Room 7.  
Executive Session may follow.  
Department of Corrections Overview.  
To be considered - HB 1565

**JUDICIARY**

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 5.  
To be considered - HB 1516, HB 1537, HB 1578, HB 1642, HB 1675,  
Executive Session - HB 1076, Executive Session - SB 650

**LABOR**

Tuesday, February 19, 2002, 5:30 p.m. Hearing Room 3.  
To be considered - HB 1091, HB 1092, HB 1318

**MUNICIPAL CORPORATIONS**

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 4.  
To be considered - HB 1649, HB 1773

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, February 19, 2002, 8:30 am. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1515, HB 1581, HB 1668

**SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION**

Thursday, February 21, 2002, 8:30 a.m. Hearing Room 6.

**URBAN AFFAIRS**

Tuesday, February 19, 2002. Side gallery upon adjournment.  
Executive Session.  
To be considered - HB 1488

**WAYS AND MEANS**

Tuesday, February 19, 2002. Hearing Room 2 upon adjournment.

To be considered - HB 1048, HB 1057, HB 1087, HB 1230, HB 1235, HB 1325, HB 1358, HB 1431, HB 1467, HB 1511, HB 1575, HB 1576, HB 1618, HB 1657, HB 1660, HB 1798, HJR 38, HJR 42

**WORKERS COMPENSATION AND EMPLOYMENT SECURITY**

Monday, February 18, 2002, 8:00 p.m. Hearing Room 6.

To be considered - HB 1273, HB 1274, HB 1275, HB 1276, HB 1277, HB 1280, HB 1546

**HOUSE CALENDAR**

TWENTY-THIRD DAY, MONDAY, FEBRUARY 18, 2002

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 17 through HCR 21

**HOUSE BILLS FOR SECOND READING**

HB 1933 through HB 1962

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1498 - Johnson (90)
- 2 HCS HB 1398 - Ward
- 3 HCS HB 1451 - Kreider
- 4 HCS HB 1425 - Smith
- 5 HCS HB 1461 & 1470 - Seigfreid
- 6 HB 1634 - Hoppe

**HOUSE BILLS FOR PERFECTION - CONSENT**

(02-18-02)

- 1 HB 1342 - Farnen
- 2 HB 1381 - Luetkenhaus
- 3 HB 1492 - Seigfreid
- 4 HB 1421 - McKenna
- 5 HB 1375 - Luetkenhaus
- 6 HB 1495 - Seigfreid
- 7 HB 1348 - Myers

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry



**HOUSE BILL FOR THIRD READING**

HCS HB 1150, 1237 & 1327, (Fiscal Review 02-14-02) - Bray

**SENATE BILLS FOR SECOND READING**

- 1 SB 695
- 2 SB 702
- 3 SB 896

**HOUSE RESOLUTIONS**

- 1 HR 26, (2-13-02, Pg. 273) - Gratz
- 2 HR 124, (2-13-02, Pg. 273) - Harding
- 3 HR 136, (2-13-02, Pg. 274) - Harlan
- 4 HR 137, (2-13-02, Pgs. 273 & 274) - Williams

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTY-THIRD DAY, MONDAY, FEBRUARY 18, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Father, You have given all peoples one common origin. Your will is to gather us as one family to Yourself. We are grateful for the Presidents of our United States who have worked for that unity. Fill the hearts of these representatives with the fire of desire to ensure justice for all our brothers and sisters.

Help us all share the good things You give us, most especially integrity, honor, and equality for every human being, an end to division, and our state's society built on mutual care and peace. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashley Stees, Taylor Mann, Mary Ann Bradshaw, Katie Jane Bradshaw, Renee Michelle Peters, Breanna Duso, Kieria Drexler and Michelle Redinger.

The Journal of the twenty-second day was approved as corrected by the following vote:

AYES: 079

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambara
George	Graham	Gratz	Green 15	Green 73
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hosmer	Johnson 90
Jolly	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Enz	Fares

Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkstresser	Clayton	Dolan	Hagan-Harrell	Hoppe
Johnson 61	Nordwald	Ridgeway	Skaggs	

VACANCIES: 004

## RESOLUTION

Representative Crawford offered House Resolution No. 318.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 317 - Representative Rizzo
- House Resolution No. 319 - Representative Gambaro
- House Resolution No. 320 - Representative Boykins, et al
- House Resolution No. 321 - Representative Kreider
- House Resolution No. 322 - Representative Luetkemeyer
- House Resolution No. 323
- and
- House Resolution No. 324 - Representatives Surface and Burton
- House Resolution No. 325 - Representatives Ross and Crawford
- House Resolution No. 326 - Representative Smith
- House Resolution No. 327 - Representative Boucher
- House Resolution No. 328 - Representative Barnett
- House Resolution No. 329
- and
- House Resolution No. 330 - Representative Mayer
- House Resolution No. 331 - Representative Koller
- House Resolution No. 332 - Representatives Murphy, Enz and Hendrickson

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 17** through **HCR 21** were read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 1933** through **HB 1962** were read the second time.

## **SECOND READING OF SENATE BILLS**

**SB 695**, **SB 702** and **SB 896** were read the second time.

## **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1711**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## **PERFECTION OF HOUSE BILLS**

**HCS HB 1398**, relating to World War II medals, was taken up by Representative Ward.

On motion of Representative Ward, **HCS HB 1398** was adopted.

On motion of Representative Ward, **HCS HB 1398** was ordered perfected and printed.

**HCS HB 1451**, relating to the board of public buildings, was taken up by Representative Abel.

On motion of Representative Abel, **HCS HB 1451** was adopted.

On motion of Representative Abel, **HCS HB 1451** was ordered perfected and printed.

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 25** - Critical Issues, Consumer Protection and Housing

**HJR 47** - Utilities Regulation

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 1711** - Fiscal Review and Government Reform (Fiscal Note)

**HB 1802** - Civil and Administrative Law

**HB 1820** - Tourism, Recreation and Cultural Affairs

**HB 1849** - Correctional and State Institutions  
**HB 1865** - Utilities Regulation  
**HB 1906** - Fiscal Review and Government Reform  
**HB 1932** - Labor  
**HB 1944** - Sportsmanship, Safety and Firearms

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 22**, introduced by Representative Bearden, relating to memorializing the Congress of the United States to pass a constitutional amendment to the Constitution of the United States to allow for voluntary school prayer and the protection of public religious speech.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 51**, introduced by Representatives Whorton, Kreider, Hampton, Berkowitz, Barnitz, Shoemyer (9) and Koller, relating to the right to hunt, fish, and harvest game.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1963**, introduced by Representative Gambaro, relating to assistance for at-risk students in public schools.

**HB 1964**, introduced by Representative Gambaro, relating to the selling of real estate.

**HB 1965**, introduced by Representative Cunningham, relating to contractor qualifications.

**HB 1966**, introduced by Representatives Froelker and Moore, et al, relating to income taxation.

**HB 1967**, introduced by Representatives Monaco, Shoemyer (9) and Rizzo, et al, relating to the poultry producer protection act.

**HB 1968**, introduced by Representative Riback Wilson (25), relating to eviction notice provisions for manufactured or mobile home land lease communities.

**HB 1969**, introduced by Representative Reid, relating to special license plates.

**HB 1970**, introduced by Representatives Townley, Long, Berkstresser, Robirds, Fraser, Griesheimer and Ladd Baker, et al, relating to health insurance coverage for mastectomy prosthetic devices.

**HB 1971**, introduced by Representatives Seigfreid, Shoemyer (9) and Copenhaver, relating to public retirement systems.

**HB 1972**, introduced by Representatives Kelley (47), Ballard, Bartle, Phillips and Ladd Baker, et al, relating to the authority of the gaming commission to authorize new types of wagering.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 656**, entitled:

An act to amend chapter 375, RSMo, by adding thereto one new section relating to the interpretation of insurance materials, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 749**, entitled:

An act to repeal sections 21.250 and 116.050, RSMo, relating to powers of the general assembly, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 776**, entitled:

To repeal section 166.415, RSMo, and to enact in lieu thereof two new sections relating to the Missouri higher education savings program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 804**, entitled:

An act to authorize the conveyance of certain property interests to the city of Kansas City.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 813**, entitled:

An act to repeal section 163.191, RSMo, and to enact in lieu thereof one new section relating to appropriations for community college district maintenance funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 893**, entitled:

An act to repeal section 376.307, RSMo, relating to life insurance company investments, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGE**

The Speaker submitted the following Committee change:

Representative Williams has been appointed a member of the Children, Families and Health Committee.

The following members' presence was noted: Berkstresser and Skaggs.

### **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, February 19, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Twenty-second Day, Thursday, February 14, 2002, pages 281 and 282, roll call, by showing Representatives Boykins, Cierpiot, Johnson (90), Kelley (47) and Walton voting "aye" rather than "absent with leave".

Pages 284 and 285, roll call, by showing Representative Liese voting "no" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 7.  
Executive Session may follow.  
To be considered - HB 1429, HB 1837

#### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Tuesday, February 19, 2002, 6:00 p.m. Hearing Room 1.  
Mark-up.  
To be considered - HB 1108, HB 1109

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 19, 2002. Hearing Room 7 upon adjournment.  
Mark-up.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 20, 2002. Hearing Room 7 upon adjournment.

Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 19, 2002. Hearing Room 6 upon adjournment.

Mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 20, 2002. Hearing Room 6 upon adjournment.

Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 19, 2002. Hearing Room 5 upon adjournment.

Mark-up continued.

Department of Economic Development.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 20, 2002. Hearing Room 5 upon adjournment.

Mark-up continued.

Department of Natural Resources and Department of Insurance. AMENDED.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 19, 2002, 8:00 a.m. Hearing Room 3.

Department of Social Services. CANCELLED.

APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 19, 2002. Hearing Room 3 fifteen minutes after morning adjournment.

Department of Social Services.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 20, 2002, 8:00 a.m. Hearing Room 3.

Department of Social Services

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 20, 2002, 8:30 a.m. Hearing Room 7.

Mark-up.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 21, 2002, 8:30 a.m. Hearing Room 7.

Mark-up.



CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1231, HB 1923

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 1.

Executive Session to follow. AMENDED.

To be considered - HB 1555, HB 1621, HB 1693, HB 1768, HB 1780

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 6. AMENDED.

To be considered - HB 1556, HB 1662, HJR 48

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 19, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow. Department of Corrections Overview.

To be considered - HB 1565

CRIMINAL LAW

Wednesday, February 20, 2002, 8:00 p.m. Hearing Room 7.

Executive Session.

To be considered - HB 1029, HB 1299, HB 1302, HB 1577, HB 1587, HB 1722, HB 1756

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 3.

Executive Session may follow on: HB 1392, HB 1625, HB 1817

To be considered - HB 1200, HB 1783, HB 1784

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, February 20, 2002, 8:30 a.m. Hearing Room 1.

Hearing and Executive Session on HCS HB 1150, 1237, 1327

To be considered - HB 1615, HB 1906, HJR 45

INSURANCE

Tuesday, February 19, 2002. Hearing Room 4.

Hearing to begin at noon or upon morning adjournment.

To be considered - HB 1446, HB 1473, HB 1518, HB 1567, HB 1568, Executive Session - HB 1215,

Executive Session - HB 1446, Executive Session - HB 1468

JUDICIARY

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1516, HB 1537, HB 1578, HB 1642, HB 1675

Executive Session - HB 1076, Executive Session - SB 650

**LABOR**

Tuesday, February 19, 2002, 5:30 p.m. Hearing Room 3.

To be considered - HB 1091, HB 1092, HB 1318

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1514, HB 1580, HB 1630, HB 1650, HB 1687, HB 1705, HB 1769, HB 1807

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Tuesday, February 19, 2002, 2:30 p.m. House Lounge.

Executive Session may follow.

To be considered - HB 1717, HB 1877, HCR 15, HR 150, HR 278

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, February 20, 2002, 8:00 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1496, HB 1679

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, February 19, 2002, 3:00 p.m. Hearing Room 1.

To be considered - HB 1310, HB 1478, HB 1534, HB 1550, HB 1624, HB 1714, HB 1778,

Executive Session - HB 1075, Executive Session - HB 1095, Executive Session - HB 1099,

Executive Session - HB 1155, Executive Session - HB 1265, Executive Session - HB 1308

**MUNICIPAL CORPORATIONS**

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 4.

To be considered - HB 1649, HB 1773

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, February 20, 2002, 5:00 p.m. Hearing Room 5.

To be considered - HB 1313, HB 1409, HB 1505, HB 1517, HB 1528, HB 1600, HB 1616, HB 1643, HB 1644, HB 1671, HB 1682, HB 1689, HB 1706, HB 1787, HB 1796

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, February 19, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1515, HB 1581, HB 1668

**SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Wednesday, February 20, 2002. Hearing Room 1 upon adjournment.

Executive Session will follow.

To be considered - HB 1680, HB 1944

**SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION**

Thursday, February 21, 2002, 8:30 a.m. Hearing Room 6.

**URBAN AFFAIRS**

Tuesday, February 19, 2002. Side gallery upon adjournment.

Executive Session.

To be considered - HB 1488

**UTILITIES REGULATION**

Wednesday, February 20, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1865, HJR 47

**WAYS AND MEANS**

Tuesday, February 19, 2002. Hearing Room 2 upon adjournment. AMENDED.

To be considered - HB 1048, HB 1057, HB 1060, HB 1087, HB 1230, HB 1235, HB 1325, HB 1358, HB 1431, HB 1467, HB 1511, HB 1575, HB 1576, HB 1618, HB 1657, HB 1660, HB 1798, HB 1912, HJR 38, HJR 42

**HOUSE CALENDAR**

TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 19, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 22

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 51

**HOUSE BILLS FOR SECOND READING**

HB 1963 through HB 1972

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1498 - Johnson (90)
- 2 HCS HB 1425 - Smith
- 3 HCS HB 1461 & 1470 - Seigfreid
- 4 HB 1634 - Hoppe

**HOUSE BILLS FOR PERFECTION - CONSENT**

(02-18-02)

- 1 HB 1342 - Farnen
- 2 HB 1381 - Luetkenhaus
- 3 HB 1492 - Seigfreid
- 4 HB 1421 - McKenna
- 5 HB 1375 - Luetkenhaus
- 6 HB 1495 - Seigfreid
- 7 HB 1348 - Myers

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1150, 1237 & 1327, (Fiscal Review, 2-14-02) - Bray
- 2 HCS HB 1711, E.C. (Fiscal Review 2-18-02) - Graham

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 656
- 2 SB 749
- 3 SCS SB 776
- 4 SCS SB 804
- 5 SB 813
- 6 SB 893

**HOUSE RESOLUTIONS**

- 1 HR 26, (2-13-02, Pg. 273) - Gratz
- 2 HR 124, (2-13-02, Pg. 273) - Harding
- 3 HR 136, (2-13-02, Pg. 274) - Harlan
- 4 HR 137, (2-13-02, Pgs. 273 & 274) - Williams

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 19, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Around us, God, we see extremes of materialism, egotism, and pride glaring at the selflessness and humility of so many of the good people of the state of Missouri. Aid our representatives today to help all of us become even better citizens.

May the laws they enact or attempt to enact build a society of unity and not separate people into warring camps. This session tries to move forward with Your blessing in a spirit of real progress. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Vanyah Moore, Alexandria Martin and Michael Wingo.

The Journal of the twenty-third day was approved as printed.

## RESOLUTION

Representative Ladd Baker offered House Resolution No. 341.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 333	-	Representative Hunter
House Resolution No. 334	-	Representative Hunter, et al
House Resolution No. 335	-	Representative Enz
House Resolution No. 336		
through		
House Resolution No. 338	-	Representatives Lograsso and Ross
House Resolution No. 339	-	Representative Lowe
House Resolution No. 340	-	Representative Farnen
House Resolution No. 342	-	Representative Wilson (42)

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 22** was read the second time.

**SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 51** was read the second time.

**SECOND READING OF HOUSE BILLS**

**HB 1963** through **HB 1972** were read the second time.

**SECOND READING OF SENATE BILLS**

**SCS SB 656, SB 749, SCS SB 776, SCS SB 804, SB 813** and **SB 893** were read the second time.

**COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1398** and **HCS HB 1451**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**PERFECTION OF HOUSE BILL**

**HCS HB 1425**, relating to health records, was taken up by Representative Smith.

Representative Byrd offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1425, Page 2, Section 191.890, Line 50, by adding after the word "**law**" the phrase "**, or a court order**".

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

Representative Bowman offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1425, Page 2, Section 191.890, Line 53, by inserting immediately after the word "damages" on said line the following:

**"in an amount not to exceed three hundred thousand dollars for any one person and two million dollars for all claims arising out of a single occurrence";** and

Further amend House Committee Substitute for House Bill No. 1425, Page 2, Section 191.890, Line 54, by inserting immediately before the word "**equitable**" on said line the words "**may be subject to further**".

On motion of Representative Bowman, **House Amendment No. 2** was adopted.

Representative Clayton assumed the Chair.

On motion of Representative Smith, **HCS HB 1425, as amended**, was adopted.

On motion of Representative Smith, **HCS HB 1425, as amended**, was ordered perfected and printed.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 000

PRESENT: 004

Lograsso	Reynolds	Van Zandt	Wright
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ABSENT WITH LEAVE: 004

Hagan-Harrell

Liese

Ridgeway

Scott

VACANCIES: 004

### PERFECTION OF HOUSE BILL

**HB 1634**, relating to land trusts, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HB 1634** was ordered perfected and printed.

### HOUSE RESOLUTIONS

**HR 26**, relating to use of chamber, was taken up by Representative Gratz.

On motion of Representative Gratz, **HR 26** was adopted.

**HR 124**, relating to use of chamber, was taken up by Representative Harding.

On motion of Representative Harding, **HR 124** was adopted.

**HR 136**, relating to use of chamber, was taken up by Representative Harlan.

On motion of Representative Harlan, **HR 136** was adopted.

**HR 137**, relating to use of chamber, was taken up by Representative Williams.

On motion of Representative Williams, **HR 137** was adopted.

### REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HCS HB 1398** - Fiscal Review and Government Reform (Fiscal Note)

**HB 1152** - Civil and Administrative Law

**HB 1410** - Social Services, Medicaid and the Elderly

**HB 1763** - Motor Vehicle and Traffic Regulations

**HB 1898** - Social Services, Medicaid and the Elderly



## **COMMITTEE REPORTS**

**Committee on Environment and Energy**, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1472**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS #2 SB 650**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1432**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 1515**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 1668**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Ways and Means**, Chairman Hilgemann reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1202**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1672**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1765**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 52**, introduced by Representative Bartle, relating to the department of transportation.

**HJR 53**, introduced by Representative Bartle, relating to regular sessions of the general assembly.

**HJR 54**, introduced by Representative Bartle, relating to the number of members of the general assembly.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1973**, introduced by Representative Bowman, relating to economics and personal finance education.

**HB 1974**, introduced by Representatives Bowman, Villa, O'Toole, Wagner and Graham, et al, relating to restrictions on child labor.

**HB 1975**, introduced by Representatives Hosmer, May (149), Shelton, Hilgemann and Troupe, et al, relating to electronic creation and retrieval of birth and death records.

**HB 1976**, introduced by Representative Bartle, relating to removal of customers from electronic mail message lists.

**HB 1977**, introduced by Representative Bartle, relating to the crime of stalking.

**HB 1978**, introduced by Representative Bartle, relating to assessed valuation for school purposes.

**HB 1979**, introduced by Representative Bartle, for the purpose of repealing provisions of law declared to be unconstitutional.

**HB 1980**, introduced by Representative Bartle, relating to capital improvement funds for elementary and secondary schools.

**HB 1981**, introduced by Representatives Shields and Hegeman, relating to campaign committees.

**HB 1982**, introduced by Representative Richardson, relating to travel expenses for assessors in certain counties.

**HB 1983**, introduced by Representative Ladd Baker, relating to earned income disregards for temporary assistance benefits.

**HB 1984**, introduced by Representative Froelker, relating to a sales tax exemption for motor vehicles.

**HB 1985**, introduced by Representatives Gratz and Legan, relating to legislative intent.

**HB 1986**, introduced by Representatives Hosmer, Farnen, Williams, Britt, Riback Wilson (25), Haywood, Harlan and Champion, relating to certain institutions of higher education.

**HB 1987**, introduced by Representatives O'Connor, Hickey, George, O'Toole, McKenna and Holt, et al, relating to nurse-to-patient staff ratios.

**HB 1988**, introduced by Representatives Kelly (144), Kreider, Robirds and Marsh, et al, relating to the establishment of an official state horse.

**HB 1989**, introduced by Representative Shoemyer (9), relating to prosecuting attorney retirement.

**HB 1990**, introduced by Representative Green (15), relating to the issuance of a death certificate for stillborn babies.

**HB 1991**, introduced by Representatives Naeger, Cunningham, Phillips and Hunter, et al, relating to the transportation of pupils to all schools.

**HB 1992**, introduced by Representative Hendrickson, relating to submission of bond issues to the voters.

**HB 1993**, introduced by Representatives Copenhaver, Clayton, Wilson (42) and Black, et al, relating to early childhood education incentives.

**HB 1994**, introduced by Representatives Hosmer, Marsh, Kreider, Ransdall, Berkstresser, Scott, Villa, Barnitz and Green (73), et al, relating to the name of a certain public institution of higher education.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 645**, entitled:

An act to repeal section 221.425, RSMo, relating to authorizing a sales tax for regional jail districts, and to enact in lieu thereof two new sections relating to the same subject, with an expiration date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 798**, entitled:

An act to repeal section 301.453, RSMo, relating to congressional license plates, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 891**, entitled:

An act to repeal section 238.207, RSMo, relating to transportation development districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Barnitz is no longer a member of the Commerce and Economic Development Committee.

Representative Kelly (36) has been appointed a member of the Commerce and Economic Development Committee.

The following members' presence was noted: Scott and Ridgeway.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 20, 2002.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1429, HB 1837

#### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, February 20, 2002, 6:00 p.m. Hearing Room 1.

Mark-up.

To be considered - HB 1108, HB 1109

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 20, 2002. Hearing Room 7 upon adjournment.

Mark-up. AMENDED.

Executive Session to follow.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 20, 2002. Hearing Room 6 upon adjournment.  
Mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 20, 2002. Hearing Room 5 upon adjournment.  
Mark-up continued.  
Department of Natural Resources and Department of Insurance. AMENDED.

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 20, 2002, 8:00 a.m. Hearing Room 3.  
Department of Social Services

APPROPRIATIONS - SOCIAL SERVICES

Wednesday, February 20, 2002. Hearing Room 3 fifteen minutes after adjournment.  
Department of Social Services.

APPROPRIATIONS - TRANSPORTATION

Wednesday, February 20, 2002, 8:30 a.m. Hearing Room 7.  
Mark-up.

APPROPRIATIONS - TRANSPORTATION

Thursday, February 21, 2002, 8:00 a.m. Hearing Room 7.  
Mark-up. AMENDED.  
Discussion of MODOT's purchase of alternative fuel vehicles.

BUDGET

Wednesday, February 20, 2002, 3:30 p.m. Hearing Room 3.  
Presentation by Governor's Office on Government Restructuring.

CIVIL AND ADMINISTRATIVE LAW

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 1. AMENDED #2.  
Executive Session may follow on House Bills 1047,1064,1072, 1098, 1077,  
1127, 1187, 1195, 1279,1243,1579  
To be considered - HB 1555, HB 1621, HB 1693, HB 1768, HB 1780

CRIMINAL LAW

Wednesday, February 20, 2002, 8:00 p.m. Hearing Room 7.  
Executive Session.  
To be considered - HB 1029, HB 1299, HB 1302, HB 1577, HB 1587, HB 1722, HB 1756

EDUCATION - HIGHER

Wednesday, February 20, 2002, 3:00 p.m. House Lounge. AMENDED.  
Executive Session on any bills heard by the committee as of this date.

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, February 20, 2002, 8:30 a.m. Hearing Room 1.  
Hearing and Executive Session on HCS HB 1150, 1237, 1327  
To be considered - HB 1615, HB 1906, HJR 45

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 20, 2002, 8:00 a.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1496, HB 1679

MUNICIPAL CORPORATIONS

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 4.  
To be considered - HB 1649, HB 1773

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 20, 2002, 5:00 p.m. Hearing Room 5. AMENDED #2.  
To be considered - HB 1313, HB 1409, HB 1505, HB 1517, HB 1528, HB 1600, HB 1616, HB 1643,  
HB 1644, HB 1671, HB 1682, HB 1689, HB 1706

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Wednesday, February 20, 2002. Hearing Room 1 upon adjournment.  
Executive Session will follow.  
To be considered - HB 1680, HB 1944

SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION

Thursday, February 21, 2002, 8:30 a.m. Hearing Room 6.

TRANSPORTATION

Wednesday, February 20, 2002, 3:00 p.m. Hearing Room 6.  
To be considered - HB 1145, HB 1353, HB 1507, HB 1508, HB 1894, HB 1918

UTILITIES REGULATION

Wednesday, February 20, 2002, 8:30 a.m. House Lounge.  
Executive Session may follow. AMENDED.  
To be considered - HB 1865, HJR 47

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 25, 2002. Hearing Room 6 upon adjournment.  
Executive Session may be held.  
To be considered - HB 1275, HB 1276, HB 1277, HB 1742, HB 1800

**HOUSE CALENDAR**

TWENTY-FIFTH DAY, WEDNESDAY, FEBRUARY 20, 2002

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 52 through HJR 54

**HOUSE BILLS FOR SECOND READING**

HB 1973 through HB 1994

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1498 - Johnson (90)
- 2 HCS HB 1461 & 1470 - Seigfreid
- 3 HCS HB 1472 - Whorton
- 4 HB 1432 - Foley
- 5 HB 1672 - Gambaro
- 6 HCS HB 1202 - Smith
- 7 HCS HB 1765 - Bray

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2-18-02)

- 1 HB 1342 - Farnen
- 2 HB 1381 - Luetkenhaus
- 3 HB 1492 - Seigfreid
- 4 HB 1421 - McKenna
- 5 HB 1375 - Luetkenhaus
- 6 HB 1495 - Seigfreid
- 7 HB 1348 - Myers

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1150, 1237 & 1327, (Fiscal Review, 2-14-02) - Bray
- 2 HCS HB 1711, E.C. (Fiscal Review 2-18-02) - Graham
- 3 HCS HB 1398, E.C. (Fiscal Review 2-19-02) - Ward
- 4 HCS HB 1451 - Abel

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 645
- 2 SB 798
- 3 SB 891

**SENATE BILL FOR THIRD READING**

HCS SS#2 SB 650, E.C. - Monaco



# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTY-FIFTH DAY, WEDNESDAY, FEBRUARY 20, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: You have plans for us, and the power to make them happen. Protect the members of this House, and their staff, from missing the point of Your truth. Keep before them the public trust that is placed in them to move beyond personal gain.

Keep us, we pray, on Your side. Grant this day, that we do justly, love mercy and walk humbly with You, and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Delaney Sweeney and Devon Rich.

The Journal of the twenty-fourth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 343 - Representative Holand

House Resolution No. 344 - Representative Moore

House Resolution No. 345

and

House Resolution No. 346 - Representative Bartelsmeyer

House Resolution No. 347 - Representative Richardson

House Resolution No. 348 - Representative Lowe

House Resolution No. 349 - Representative Long

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 52** through **HJR 54** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1973** through **HB 1994** were read the second time.

## SECOND READING OF SENATE BILLS

**SCS SB 645, SB 798** and **SB 891** were read the second time.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1425** and **HB 1634**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Miss Jamie Lile, FFA President, addressed the House.

## PERFECTION OF HOUSE BILL

**HB 1498**, relating to sexual offenses, was taken up by Representative Johnson (90).

Representative Johnson (90) offered **HS HB 1498**.

Representative Clayton assumed the Chair.

Representative Shoemyer (9) offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Substitute for House Bill No. 1498, Page 3, Section 566.111, Lines 20-21, by deleting all of said lines and inserting in lieu thereof the following: "**accepted veterinary medical practices.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Shoemyer (9), **House Amendment No. 1** was adopted.

Representative Purgason requested a division of the question on **HS HB 1498, as amended**.

On motion of Representative Johnson (90), **Part I of HS HB 1498** was adopted.

On motion of Representative Johnson (90), **Part II of HS HB 1498** was adopted.

On motion of Representative Johnson (90), **Part III of HS HB 1498** was adopted.

On motion of Representative Johnson (90), **HS HB 1498, as amended**, was ordered perfected and printed.

### THIRD READING OF HOUSE BILL

**HCS HB 1451**, relating to board of public buildings, was taken up by Representative Abel.

On motion of Representative Abel, **HCS HB 1451** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hohulin Hunter

PRESENT: 000

ABSENT WITH LEAVE: 004

Hagan-Harrell Liese McKenna Surface

VACANCIES: 004

Representative Clayton declared the bill passed.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1632** - Motor Vehicle and Traffic Regulations  
**HB 1687** - Local Government and Related Matters  
**HB 1809** - Education-Elementary and Secondary  
**HB 1839** - Local Government and Related Matters  
**HB 1895** - Judiciary  
**HB 1916** - Education-Elementary and Secondary  
**HB 1930** - Commerce and Economic Development  
**HB 1935** - Local Government and Related Matters  
**HB 1938** - Children, Families and Health  
**HB 1946** - Commerce and Economic Development  
**HB 1962** - Judiciary  
**HB 1969** - Motor Vehicle and Traffic Regulations

## COMMITTEE REPORTS

**Committee on Correctional and State Institutions**, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1078**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Insurance**, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1446**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1468**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Labor**, Chairman George reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1069**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1403**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 23**, introduced by Representative Merideth, et al, to authorize the creation of the “Missouri Commission on the Delta Region Authority”.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 55**, introduced by Representatives Bearden, Mayer, Phillips, Cooper, Berkstresser, Myers, Bartle and Reinhart, et al, relating to voluntary prayer in schools.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1995**, introduced by Representatives Dempsey, Bearden, Hendrickson, Dolan and Scott, et al, relating to property taxes.

**HB 1996**, introduced by Representatives Dempsey, Portwood, Holt and Shoemaker (8), et al, relating to misrepresentation of age by a minor to obtain liquor.

**HB 1997**, introduced by Representatives Cooper and Hanaway, et al, relating to state health insurance plan.

**HB 1998**, introduced by Representative Hendrickson, relating to the regulation of adult establishments.

**HB 1999**, introduced by Representatives Lawson, Kelly (27) and Shields, relating to peace officer licenses.

**HB 2000**, introduced by Representatives Quinn, Mays (50), Myers, Dempsey, May (149), Relford, Lawson and Gratz, et al, relating to boards of directors for industrial development corporations.

**HB 2001**, introduced by Representatives Hegeman, Shields, O'Connor, Portwood and Holand, et al, relating to the Missouri dental board.

**HB 2002**, introduced by Representatives Farnen and Naeger, relating to coroners inquests.

**HB 2003**, introduced by Representatives Harlan, Ladd Baker and Hosmer, relating to long-term care.

**HB 2004**, introduced by Representatives Myers, Crawford, Black, Moore, Reinhart, Merideth, Barnitz and Hanaway, et al, relating to the environmental regulation consistency act.

**HB 2005**, introduced by Representatives Bearden, Champion, Hanaway, Crowell, Secrest, Reinhart, Portwood, Froelker and Hunter, et al, relating to state budget procedures.

**HB 2006**, introduced by Representative Luetkenhaus, relating to health care providers defaulting on federal student loans.

**HB 2007**, introduced by Representative O'Connor, relating to license plates.

**HB 2008**, introduced by Representative O'Connor, relating to powersport dealers.

**HB 2009**, introduced by Representative O'Connor, relating to requirements for licensure of motor vehicle dealers, manufacturers, and auctions.

**HB 2010**, introduced by Representatives Cunningham, Hunter, Mayer, Bartle, Crowell, Shoemaker (8), Reid and Moore, et al, relating to performance-based salary increases for public school teachers.

**HB 2011**, introduced by Representatives Cunningham, Liese and Fraser, et al, relating to equalization of local governmental services for homeowners within common-interest communities.

**HB 2012**, introduced by Representatives Cunningham and Reid, relating to health risks for students of public schools.

**HB 2013**, introduced by Representatives Walton, Haywood, Thompson and Troupe, et al, relating to recall elections for school board members.

**HB 2014**, introduced by Representative Smith, relating to court costs.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 639**, entitled:

An act to amend chapter 261, RSMo, by adding thereto one new section relating to processing requirements for jams and jellies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 865**, entitled:

An act to repeal section 263.531, RSMo, relating to boll weevil eradication, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 932**, entitled:

An act to repeal section 535.081, RSMo, relating to rent recovery by a successor in title, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGE**

The Speaker submitted the following Committee change:

Representative Wright has been appointed a member of the Tourism, Recreation and Cultural Affairs Committee.

### **WITHDRAWAL OF HOUSE BILLS**

February 20, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

I wish to withdraw **HB 1687** from consideration by the General Assembly.

Thank you for your consideration of this request.

Sincerely,

/s/ Randall Relford  
Sixth District

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February 20, 2002

Speaker Kreider  
State Capitol, Room 308  
Jefferson City, MO 65101-6806

Dear Mr. Speaker:

I respectfully request that my **House Bill 1590** relating to the establishment of the American Military Veterans Bridge be withdrawn.

The St. Charles Delegation will jointly sponsor a similar bill on this topic.

Thank you for your consideration.

Respectfully,

/s/ Jon Dolan

The following member's presence was noted: McKenna.

### **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Thursday, February 21, 2002.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - SOCIAL SERVICES**

Thursday, February 21, 2002, 8:00 a.m. Hearing Room 3.  
Department of Social Services

#### **APPROPRIATIONS - TRANSPORTATION**

Thursday, February 21, 2002, 8:00 a.m. Hearing Room 7.  
Mark-up. AMENDED.  
Discussion of MODOT's purchase of alternative fuel vehicles.

#### **EDUCATION - ELEMENTARY AND SECONDARY**

Thursday, February 21, 2002, 9:00 a.m. Hearing Room 4. CORRECTED.  
To be considered - Executive Session - HB 1392, Executive Session - HB 1625,  
Executive Session - HB 1817

#### **ENVIRONMENT AND ENERGY**

Thursday, February 21, 2002, 8:30 a.m. Hearing Room 1.  
Executive Session may follow.  
To be considered - HB 1549, HB 1569, HB 1690, HB 1748, HB 1750

#### **MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Thursday, February 21, 2002, 9:30 a.m. Side gallery.  
To be considered - Executive Session - HB 1075, Executive Session - HB 1095,  
Executive Session - HB 1099, Executive Session - HB 1155, Executive Session - HB 1265,  
Executive Session - HB 1308, Executive Session - HB 1412, Executive Session - HB 1624,  
Executive Session - HB 1714, Executive Session - HB 1778

#### **SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION**

Thursday, February 21, 2002, 8:30 a.m. Hearing Room 6.



**WORKERS COMPENSATION AND EMPLOYMENT SECURITY**

Monday, February 25, 2002. Hearing Room 6 upon adjournment.

Executive Session may be held.

To be considered - HB 1275, HB 1276, HB 1277, HB 1742, HB 1800

**HOUSE CALENDAR**

TWENTY-SIXTH DAY, THURSDAY, FEBRUARY 21, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 23

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 55

**HOUSE BILLS FOR SECOND READING**

HB 1995 through HB 2014

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1461 & 1470 - Seigfreid
- 2 HCS HB 1472 - Whorton
- 3 HB 1432 - Foley
- 4 HB 1672 - Gambaro
- 5 HCS HB 1202 - Smith
- 6 HCS HB 1765 - Bray

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2-18-02)

- 1 HB 1342 - Farnen
- 2 HB 1381 - Luetkenhaus
- 3 HB 1492 - Seigfreid
- 4 HB 1421 - McKenna
- 5 HB 1375 - Luetkenhaus
- 6 HB 1495 - Seigfreid
- 7 HB 1348 - Myers

(2-21-02)

- 1     HB 1477 - Farnen
- 2     HB 1668 - Holt
- 3     HB 1446 - Luetkenhaus
- 4     HB 1078 - Whorton
- 5     HB 1468 - Ward
- 6     HB 1086 - Harlan
- 7     HB 1406 - Barnett
- 8     HB 1402 - Burton

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1     HCS HB 1150, 1237 & 1327, (Fiscal Review, 2-14-02) - Bray
- 2     HCS HB 1711, E.C. (Fiscal Review 2-18-02) - Graham
- 3     HCS HB 1398, E.C. (Fiscal Review 2-19-02) - Ward
- 4     HCS HB 1425 - Smith
- 5     HB 1634 - Hoppe

#### **SENATE BILLS FOR SECOND READING**

- 1     SB 639
- 2     SB 865
- 3     SB 932

#### **SENATE BILL FOR THIRD READING**

HCS SS#2 SB 650, E.C. - Monaco

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTY-SIXTH DAY, THURSDAY, FEBRUARY 21, 2002

Speaker Pro Tem Abel in the Chair.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 135

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	King
Koller	Lawson	Legan	Linton	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reinhart	Relford	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 004

Behnen	Lograsso	Reynolds	Van Zandt
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ABSENT WITH LEAVE: 020

Bartelsmeyer	Berkowitz	Burcham	Daus	Foley
Franklin	Green 73	Hagan-Harrell	Harlan	Haywood
Holand	Kelly 27	Kelly 36	Liese	Lowe
Reid	Richardson	Seigfreid	Surface	Townley

VACANCIES: 004

Prayer by Reverend Rudy Beard.

Gracious God, You give us all that we need for life and happiness. Every good gift is by Your design. Help us to serve You as You deserve:

To give and not count the cost;  
To struggle and not count the wounds;  
To work and not seek reward but to know that we do Your will.

Bless this House today with confidence that they are in Your love and are seeking Your will. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Mark Jacob "Jake" Kissick.

The Journal of the twenty-fifth day was approved as corrected.

## **RESOLUTION**

Representatives Hanaway and Bowman offered House Resolution No. 361.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 350

through

House Resolution No. 354	-	Representative Whorton
House Resolution No. 355	-	Representative Gratz
House Resolution No. 356	-	Representative Ransdall
House Resolution No. 357	-	Representative Rizzo
House Resolution No. 358	-	Representative Vogel
House Resolution No. 359	-	Representative Dolan
House Resolution No. 360	-	Representatives Vogel and Gratz
House Resolution No. 362	-	Representatives Scheve and Fares
House Resolution No. 363	-	Representative May (149)

## **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 23** was read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 55** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1995** through **HB 2014** were read the second time.

## SECOND READING OF SENATE BILLS

**SB 639**, **SB 865** and **SB 932** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1498**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## THIRD READING OF HOUSE BILLS

**HCS HB 1425**, relating to health records, was taken up by Representative Smith.

On motion of Representative Smith, **HCS HB 1425** was read the third time and passed by the following vote:

AYES: 096

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Harding	Harlan	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Koller	Lawson	Linton	Long	Lowe
Luetkenhaus	Marsh	Mays 50	McKenna	Merideth
Monaco	Moore	Murphy	O'Connor	O'Toole
Ostmann	Overschmidt	Ransdall	Reid	Relford
Reynolds	Rizzo	Ross	Scheve	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 058

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Froelker	Gaskill
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Lograsso	Luetkemeyer	Marble
May 149	Mayer	Miller	Myers	Naeger
Nordwald	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Richardson	Ridgeway	Roark
Robirds	Schwab	Secrest	Shoemaker	St. Onge
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Hagan-Harrell	Haywood	Kelly 36	Liese	Surface
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1634**, relating to land trusts, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HB 1634** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Koller	Lawson
Legan	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross

Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Smith	St. Onge	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 010

Bray 84	Green 73	Hagan-Harrell	Haywood	Kelly 36
King	Liese	Skaggs	Surface	Thompson

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

### THIRD READING OF SENATE BILL

**HCS SS #2 SB 650**, relating to statute of limitations, was taken up by Representative Monaco.

Representative Clayton assumed the Chair.

Representative Behnen offered **House Amendment No. 1**.

Speaker Pro Tem Abel resumed the Chair.

Representative Monaco raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Monaco, **HCS SS #2 SB 650** was adopted.

On motion of Representative Monaco, **HCS SS #2 SB 650** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey

Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	King
Koller	Lawson	Legan	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Hagan-Harrell	Haywood	Hunter	Kelly 36	Liese
Linton	Surface			

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	King



Koller	Lawson	Legan	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Hagan-Harrell	Haywood	Hunter	Kelly 36	Liese
Lograsso	Nordwald	Purgason	Surface	

VACANCIES: 004

## PERFECTION OF HOUSE BILLS

**HCS HB 1472**, relating to biodiesel fuel, was taken up by Representative Whorton.

Representative Scheve assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Marble offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1472, Page 1, Section 414.365, Line 8, by placing a bracket around [shall] and place in lieu thereof the word “**may**”; and

Further amend Page 1, Line 11, by placing a bracket around [shall] and place in lieu thereof “**may**”; and

Further amend Page 1, Line 13, by placing a bracket around [shall] and place in lieu thereof the word “**may**”; and

Further amend Page 1, Line 16, by placing a bracket around [shall] and place in lieu thereof “**may**”.

Representative Marble moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 026

Bartelsmeyer	Bearden	Berkstresser	Burton	Dempsey
Enz	Fares	Gaskill	Griesheimer	Henderson
Hendrickson	Hohulin	Hollingsworth	Hunter	Kelly 144
Linton	Marble	Murphy	Phillips	Purgason
Rector	Reid	Roark	St. Onge	Troupe
Wright				

NOES: 114

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Campbell
Carnahan	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dolan	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Hegeman
Hilgemann	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
King	Lawson	Legan	Long	Lowe
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	Ostmann	Overschmidt
Portwood	Quinn	Ransdall	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 019

Ballard	Byrd	Champion	Green 73	Haywood
Hickey	Holand	Kelly 36	Koller	Liese
Lograsso	Luetkemeyer	Nordwald	O'Toole	Relford
Scott	Skaggs	Surface	Wilson 42	

VACANCIES: 004

On motion of Representative Whorton, **HCS HB 1472** was adopted.

On motion of Representative Whorton, **HCS HB 1472** was ordered perfected and printed by the following vote:

AYES: 129

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hegeman	Henderson	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 27	King	Lawson
Legan	Long	Lowe	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 012

Bartelsmeyer	Berkstresser	Hartzler	Hendrickson	Hohulin
Hunter	Kelly 144	Linton	Marble	Murphy
Purgason	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 018

Ballard	Byrd	Champion	Hagan-Harrell	Haywood
Hickey	Holand	Kelly 36	Koller	Liese
Lograsso	Luetkemeyer	Luetkenhaus	Nordwald	Relford
Skaggs	Surface	Wilson 42		

VACANCIES: 004

**HB 1432**, relating to emergency communications system districts, was taken up by Representative Foley.

Representative Gambaro assumed the Chair.

Representative Portwood offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1432, Page 2, Section 650.396, Line 3, by deleting the words:

**“either a tax on the taxable real property in the district not to exceed six cents per one hundred dollars of assessed valuation, or”;** and

Further amend House Bill No. 1432, Page 3, Section 650.399, by deleting Lines 9-13.

Representative Portwood moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Foley, **HB 1432** was ordered perfected and printed.

**REFERRAL OF HOUSE RESOLUTIONS**

The following House Resolutions were referred to the Committee indicated:

**HR 262** - Miscellaneous Bills & Resolutions

**HR 281** - Agriculture

**HR 318** - Miscellaneous Bills & Resolutions

**HR 341** - Miscellaneous Bills & Resolutions

**REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 18** - Education-Elementary and Secondary

**HCR 20** - Tourism, Recreation and Cultural Affairs

**HCR 21** - Public Safety, Law Enforcement and Veteran Affairs

**HCR 23** - Miscellaneous Bills & Resolutions

**REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 49** - Ways and Means

**REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1803** - Critical Issues, Consumer Protection and Housing

**HB 1804** - Banks and Financial Institutions

**HB 1806** - Transportation

**HB 1808** - Professional Registration and Licensing  
**HB 1810** - Environment and Energy  
**HB 1811** - Municipal Corporations  
**HB 1812** - Children, Families and Health  
**HB 1813** - Miscellaneous Bills & Resolutions  
**HB 1814** - Judiciary  
**HB 1815** - Motor Vehicle and Traffic Regulations  
**HB 1816** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1818** - Retirement  
**HB 1819** - Local Government and Related Matters  
**HB 1823** - Retirement  
**HB 1825** - Education-Elementary and Secondary  
**HB 1835** - Professional Registration and Licensing  
**HB 1836** - Criminal Law  
**HB 1838** - Motor Vehicle and Traffic Regulations  
**HB 1840** - Elections  
**HB 1841** - Fiscal Review and Government Reform  
**HB 1842** - Critical Issues, Consumer Protection and Housing  
**HB 1843** - Professional Registration and Licensing  
**HB 1844** - Professional Registration and Licensing  
**HB 1845** - Education-Elementary and Secondary  
**HB 1846** - Local Government and Related Matters  
**HB 1848** - Commerce and Economic Development  
**HB 1850** - Miscellaneous Bills & Resolutions  
**HB 1851** - Urban Affairs  
**HB 1852** - Motor Vehicle and Traffic Regulations  
**HB 1853** - Elections  
**HB 1855** - Fiscal Review and Government Reform  
**HB 1856** - Agriculture  
**HB 1857** - Education-Elementary and Secondary  
**HB 1858** - Education-Elementary and Secondary  
**HB 1861** - Correctional and State Institutions  
**HB 1862** - Motor Vehicle and Traffic Regulations  
**HB 1863** - Agriculture  
**HB 1867** - Motor Vehicle and Traffic Regulations  
**HB 1869** - Professional Registration and Licensing  
**HB 1870** - Children, Families and Health  
**HB 1871** - Professional Registration and Licensing  
**HB 1872** - Motor Vehicle and Traffic Regulations  
**HB 1873** - Professional Registration and Licensing  
**HB 1875** - Utilities Regulation  
**HB 1876** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1879** - Miscellaneous Bills & Resolutions  
**HB 1880** - Miscellaneous Bills & Resolutions  
**HB 1881** - Motor Vehicle and Traffic Regulations

**HB 1882** - Local Government and Related Matters  
**HB 1883** - Ways and Means  
**HB 1884** - Ways and Means  
**HB 1887** - Social Services, Medicaid and the Elderly  
**HB 1890** - Ways and Means  
**HB 1892** - Civil and Administrative Law  
**HB 1893** - Education-Elementary and Secondary  
**HB 1896** - Ways and Means  
**HB 1897** - Fiscal Review and Government Reform  
**HB 1899** - Education-Elementary and Secondary  
**HB 1900** - Judiciary  
**HB 1988** - Miscellaneous Bills & Resolutions  
**HB 1994** - Miscellaneous Bills & Resolutions

### COMMITTEE REPORTS

**Committee on Conservation, State Parks and Mining**, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **HB 1418**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

#### *House Committee Amendment No. 1*

AMEND House Bill No. 1418, Pages 3 to 4, Section 253.095, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following:

**“253.095. To further the interpretive, educational, maintenance, or other functions and services of Missouri state parks, the director of the department of natural resources is authorized to enter into cooperative agreements with private, non-profit organizations that are organized solely to provide interpretive, educational, maintenance, or other services to Missouri state parks. The director may provide the services of department personnel and state park facility space to such an organization pursuant to such cooperative agreements. Net proceeds received from the sale of”.**

**Committee on Correctional and State Institutions**, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Insitutions, to which was referred **HCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### HOUSE CONCURRENT RESOLUTION NO. 3

WHEREAS, the State of Missouri would like to have the two hundred five acres which were previously given to it by the city of Licking for the construction of a correctional center annexed into the city limits of Licking; and

WHEREAS, the city of Licking would also like to encompass such area; and

WHEREAS, section 71.012, RSMo, requires that for voluntary annexation all fee interest owners of property within a proposed area of annexation sign a verified petition requesting such annexation; and

WHEREAS, section 37.005, RSMo, vests the fee title of this state property in the Governor:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby authorize the Governor to approve the proposed annexation of the aforementioned two hundred five acres into the city of Licking; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Governor and the Board of Aldermen of the city of Licking, Missouri.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1594**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1817**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Labor**, Chairman George reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1592**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1532**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### HOUSE CONCURRENT RESOLUTION NO. 15

WHEREAS, following the recent collapse of Enron, many people believe it is time to revise corporate governance policies and focus on employer practices with company stock in their retirement plans; and

WHEREAS, currently many employees are required to invest in their company's defined contribution retirement savings program, without the option of receiving benefits in any form other than the company's stock; and

WHEREAS, the lack of diversification in employee retirement savings programs leaves many employees extremely vulnerable, as evidenced by the many Enron employees with only company stock in their retirement savings plan, resulting in a complete loss all of their retirement savings following the collapse of Enron; and

WHEREAS, unless tougher corporate governance policies are put in place soon, many other companies may experience a similar devaluation of their assets in the current falling economy; and

WHEREAS, legislation has been introduced in the 107th Congress to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that individual account plans protect workers by limiting the amount of employer stock each worker may hold and encouraging diversification of investment plan assets:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, urge Congress to enact Senate Bill 1838, the "Pension Protection and Diversification Act of 2001" which amends the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to protect employee retirement plans by limiting the amount of employer stock each employee may hold and encouraging diversification of investment plan assets; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 150**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### HOUSE RESOLUTION NO. 150

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Jefferson City Downtown Rotary Club has sought to instill values of high integrity within our youth and to provide an opportunity for Missouri students to experience state government firsthand; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for beneficial purposes; and

WHEREAS, this year, the Jefferson City Downtown Rotary Club is sponsoring its annual Student Government Day, an event which will be highlighted by a meeting in the House Chamber of our State Capitol where students in attendance will be addressed by a representative of each of the three branches of government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the Jefferson City Downtown Rotary Club permission to use the House Chamber for the purpose of conducting its Student Government Day on Monday, March 25, 2002, from 9:00 a.m. until 12:00 noon.

#### **Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1075**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1265**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1412**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.



Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1624**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1714**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 1581**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Sportsmanship, Safety and Firearms**, Chairman Barnitz reporting:

Mr. Speaker: Your Committee on Sportsmanship, Safety and Firearms, to which was referred **HB 1344** and **HB 1944**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1918**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2015**, introduced by Representative Clayton, relating to the detention of retail customers.

**HB 2016**, introduced by Representative Kelly (27), relating to information required for delivery of prisoners.

**HB 2017**, introduced by Representatives Kelly (27) and Selby, relating to adoption records.

**HB 2018**, introduced by Representatives Bartle, Franklin and Campbell, relating to tax books for school districts.

**HB 2019**, introduced by Representative Kreider, relating to a student representative for the board of trustees at a certain community college.

**HB 2020**, introduced by Representatives Reid, Selby, Lowe and Boucher, et al, relating to motor vehicle safety and repair.

**HB 2021**, introduced by Representatives Ross and O' Connor, relating to driver's licenses.

**HB 2022**, introduced by Representative Richardson, relating to increases and decreases of certain tax rates.

**HB 2023**, introduced by Representative Franklin, relating to resolution conferences.

**HB 2024**, introduced by Representatives Relford and Cunningham, relating to lapse of district corporate organization.

**HB 2025**, introduced by Representatives Walton, Thompson, Bland, Bowman, Sanders Brooks and Johnson (61), et al, relating to special license plates.

**HB 2026**, introduced by Representatives Green (15), Bearden, Holt, Luetkenhaus, Ostmann, Dempsey and Dolan, relating to the designation of the veterans memorial bridge.

**HB 2027**, introduced by Representative Gambaro, relating to collection of certain delinquent fines and fees.

**HB 2028**, introduced by Representatives Berkowitz, Wilson (42), Copenhaver, Fares, Luetkemeyer and Richardson, relating to the Missouri career ladder initiative program.

**HB 2029**, introduced by Representative Hosmer, relating to certified police reports.

**HB 2030**, introduced by Representatives Whorton, Riback Wilson (25), Campbell, Ladd Baker and Hollingsworth, relating to income disregards for public assistance eligibility.

**HB 2031**, introduced by Representative O'Connor, relating to motor vehicle dealers.

**HB 2032**, introduced by Representative Hosmer, relating to driving while revoked.

**HB 2033**, introduced by Representative Monaco, relating to disclosure of methamphetamine production.

**HB 2034**, introduced by Representative Skaggs, relating to exemptions for certain users of diesel fuel.

**HB 2035**, introduced by Representatives Reinhart and Ridgeway, relating to the retention of family court commissioners.

**HB 2036**, introduced by Representative Hoppe, relating to underground liquid storage systems.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 708**, entitled:

An act to repeal section 644.021, RSMo, relating to the clean water commission, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 712**, entitled:

An act to repeal sections 44.010, 44.100, 190.500, 192.320, 473.697, 490.620 and 610.021, and to enact in lieu thereof twelve new sections relating to state emergency health powers, with an emergency clause, penalty provisions and an expiration date for a certain section.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 742**, entitled:

An act to repeal section 469.411, RSMo, relating to trusts and estates, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 860**, entitled:

An act to repeal sections 161.400, 161.403, 161.405, 161.407, 191.928, 191.934, 209.285, 209.287, 209.318, 209.319, 209.321, 209.323, 209.326, 209.334, 476.750, 476.760, and 476.763, RSMo, and to enact in lieu thereof seventeen new sections relating to the deaf and hard of hearing.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 931**, entitled:

An act to repeal sections 59.042, 347.143, 351.055, 351.120, 351.140, 351.145, 351.150, 351.155, 351.182, 351.385, 351.400, 351.455, 355.856, 356.211, 400.9-102, 400.9-109, 400.9-303, 400.9-311, 400.9-313, 400.9-317, 400.9-323, 400.9-406, 400.9-407, 400.9-408, 400.9-409, 400.9-504, 400.9-509, 400.9-513, 400.9-525, 400.9-602, 400.9-608, 400.9-611, 400.9-613, 400.9-615, 400.9-625, 400.9-628, 400.9-710, 417.210 and 575.060, RSMo, relating to business and commerce, and to enact in lieu thereof forty-three new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 974**, entitled:

An act to repeal section 304.200, RSMo, relating to length limitations on certain vehicles, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Dempsey has been appointed a member of the Critical Issues, Consumer Protection and Housing Committee.

Representative Phillips is no longer a member of the Local Government and Related Matters Committee.

Representative Rizzo is no longer a member of the Local Government and Related Matters Committee.

### **WITHDRAWAL OF HOUSE BILLS**

February 20, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
Capitol Building  
Jefferson City, Missouri 65101

Dear Mr. Clerk:

I am respectfully requesting that **House Bill No. 1145** establishing the American military veterans bridge be withdrawn.

Thank you for your consideration in this matter.

Sincerely,

/s/ Thomas S. Green

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February 21, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

I request that **HB 1642** (relating to Uniform Electronic Transaction Act) be withdrawn today.

Thank you for your kind attention to this request.

Sincerely,

/s/ Ralph A. Monaco  
Representative  
District 49

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February 21, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

I request that **HB 1749** (relating to certain sexual offenses) be withdrawn today.

Thank you for your kind attention to this request.

Sincerely,

/s/ Ralph Monaco  
Representative  
District 49

### **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 4:00 p.m., Monday, February 25, 2002.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Twenty-fifth Day, Wednesday, February 20, 2002, page 324, line 5, by deleting said line.

## COMMITTEE MEETINGS

### APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY

Monday, February 25, 2002, 12:00 p.m. Hearing Room 1.

Mark-up.

To be considered - HB 1108

### APPROPRIATIONS - EDUCATION

Tuesday, February 26, 2002. Hearing Room 1 upon adjournment.

Mark-up.

To be considered - HB 1102, HB 1103

### APPROPRIATIONS - EDUCATION

Wednesday, February 27, 2002. Hearing Room 1 upon adjournment.

Mark-up.

To be considered - HB 1102, HB 1103

### APPROPRIATIONS - SOCIAL SERVICES

Monday, February 25, 2002, 11:00 a.m. Hearing Room 3.

Department of Social Services.

### APPROPRIATIONS - SOCIAL SERVICES

Tuesday, February 26, 2002, 8:00 a.m. Hearing Room 3.

Department of Social Services.

### BUDGET

Tuesday, February 26, 2002. Hearing Room 3 upon morning adjournment.

Executive Session.

To be considered - HB 1115

### CHILDREN, FAMILIES, AND HEALTH

Tuesday, February 26, 2002, 3:00 p.m. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1548, HB 1718, HB 1926, HB 1938

### COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, February 26, 2002, 3:00 p.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1753, HB 1930, HB 1946

### CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 26, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1795, HB 1849

CRIMINAL LAW

Wednesday, February 27, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may be held.

To be considered - HB 1029, HB 1058, HB 1629, HB 1686, HB 1700, HB 1730, HB 1759, HB 1760

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, February 25, 2002, 8:00 p.m. Hearing Room 3.

To be considered - HB 1294, HB 1422, HB 1533, HB 1695

FISCAL REVIEW AND GOVERNMENT REFORM

Monday, February 25, 2002, 1:00 p.m. Hearing Room 5.

To be considered - HB 1906

FISCAL REVIEW AND GOVERNMENT REFORM

Monday, February 25, 2002, 3:00 p.m. Hearing Room 5.

Executive Session. Fiscal Review.

To be considered - HB 1150, HB 1398, HB 1711

INSURANCE

Tuesday, February 26, 2002. Hearing Room 4 upon morning adjournment.

To be considered - HB 1821, Executive Session - HB 1473, Executive Session - HB 1502,

Executive Session - HB 1518, Executive Session - HB 1567, Executive Session - HB 1568

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 7, 2002. Hearing Room 6 upon adjournment

20CSR 500-6.700

Department of Insurance, Property & Casualty, Workers' Compensation and Employer's Liability.

LABOR

Tuesday, February 26, 2002, 5:30 p.m. Hearing Room 3.

To be considered - HB 1932

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 26, 2002, 3:00 p.m. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1314, HB 1632, HB 1664, HB 1696, HB 1772, HB 1779, HB 1788, HB 1789

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, February 26, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1758, HB 1822, HCR 21

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, February 26, 2002, 8:00 p.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1410, HB 1781, HB 1898, HCR 13

**SUBCOMMITTEE ON APPROPRIATIONS - EDUCATION**

Monday, February 25, 2002, 3:00 p.m. Hearing Room 6.

**URBAN AFFAIRS**

Tuesday, February 26, 2002, 4:00 p.m. Hearing Room 2.

To be considered - HB 1509, HB 1510

**WAYS AND MEANS**

Tuesday, February 26, 2002. Hearing Room 2 upon morning adjournment.

To be considered - HB 1407, HB 1541, HB 1703, HB 1704, HB 1709, HB 1727, HB 1739, HB 1797

**WORKERS COMPENSATION AND EMPLOYMENT SECURITY**

Monday, February 25, 2002. Hearing Room 6 upon adjournment.

Executive Session may be held.

To be considered - HB 1275, HB 1276, HB 1277, HB 1742, HB 1800

**HOUSE CALENDAR**

TWENTY-SEVENTH DAY, MONDAY, FEBRUARY 25, 2002

**HOUSE BILLS FOR SECOND READING**

HB 2015 through HB 2036

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1461 & 1470 - Seigfreid
- 2 HB 1672 - Gambaro
- 3 HCS HB 1202 - Smith
- 4 HCS HB 1765 - Bray
- 5 HCS HB 1069 - Bray
- 6 HB 1594 - Gratz
- 7 HB 1581 - Clayton
- 8 HB 1418, HCA 1 - Barnitz
- 9 HCS HB 1403 - St. Onge
- 10 HCS HB 1817 - Franklin
- 11 HB 1592 - Hickey
- 12 HCS HB 1532 - Hoppe
- 13 HCS HB 1344 & 1944 - Crump



**HOUSE BILLS FOR PERFECTION - CONSENT**

(2-18-02)

- 1 HB 1342 - Farnen
- 2 HB 1381 - Luetkenhaus
- 3 HB 1492 - Seigfreid
- 4 HB 1421 - McKenna
- 5 HB 1375 - Luetkenhaus
- 6 HB 1495 - Seigfreid
- 7 HB 1348 - Myers

(2-21-02)

- 1 HB 1477 - Farnen
- 2 HB 1668 - Holt
- 3 HB 1446 - Luetkenhaus
- 4 HB 1078 - Whorton
- 5 HB 1468 - Ward
- 6 HB 1086 - Harlan
- 7 HB 1406 - Barnett
- 8 HB 1402 - Burton

**HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 3, (2-21-02) - Hampton
- 2 HCR 15, (2-21-02) - O'Toole

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1150, 1237 & 1327 (Fiscal Review, 2-14-02) - Bray
- 2 HCS HB 1711, E.C. (Fiscal Review, 2-18-02) - Graham
- 3 HCS HB 1398, E.C. (Fiscal Review, 2-19-02) - Ward
- 4 HS HB 1498 - Johnson (90)

**SENATE BILLS FOR SECOND READING**

- 1     SB 708
- 2     SCS SB 712
- 3     SB 742
- 4     SB 860
- 5     SS SCS SB 931
- 6     SB 974

**HOUSE RESOLUTION**

HR 150, (2-21-02) - Vogel

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTY-SEVENTH DAY, MONDAY, FEBRUARY 25, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Lord, our God, if we open up our eyes and look around we see a wealth of assets. The minds, talents, and experiences here in this Chamber, for example, whether of the same political party or not, the people of Missouri, the great material beauty and richness of our state – all this evokes wonder at Your generosity.

We are a people and a state flowing in many ways with milk and honey. This is Your trust to us. We are grateful. May we be equally responsible. Help us to continue to discover proper means to expand on all this, that we might reflect the trust You have put in us. May the laws passed in this Chamber protect, defend, and build up the multitude of temporal and spiritual blessings You have given us. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-sixth day was approved as corrected by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1472** and **HB 1432**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HBs 1150, 1237 & 1327 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 1398 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 1711 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **PERFECTION OF HOUSE BILLS**

**HB 1672**, relating to income taxation of athletes and entertainers, was taken up by Representative Gambaro.

Speaker Pro Tem Abel assumed the Chair.

Representative Ransdall offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 1672, Page 3, Section 143.183, Line 36, by deleting the number "2008" and inserting in lieu thereof the following: "[2008] **2010**"; and

Further amend said bill, Page 3, Section 143.183, Line 39, by deleting the word "nine" and inserting in lieu thereof the following: "[nine] **eleven**"; and

Further amend said bill, Page 3, Section 143.183, Line 50, by deleting the number "2008" and inserting in lieu thereof the following: "[2008] **2010**"; and

Further amend said bill, Page 3, Section 143.183, Line 53, by deleting the word "nine" and inserting in lieu thereof the following: "[nine] **eleven**"; and

Further amend said bill, Page 4, Section 143.183, Line 61, by deleting the number "2008" and inserting in lieu thereof the following: "[2008] **2010**"; and

Further amend said bill, Page 4, Section 143.183, Line 64, by deleting the word "nine" and inserting in lieu thereof the following: "[nine] **eleven**"; and

Further amend said bill, Page 4, Section 143.183, Line 72, by deleting the number "2008" and inserting in lieu thereof the following: "[2008] **2010**"; and

Further amend said bill, Page 4, Section 143.183, Line 75, by deleting the word "nine" and inserting in lieu thereof the following: "[nine] **eleven**"; and

Further amend said bill, Page 5, Section 143.183, Line 95, by deleting the number "2008" and inserting in lieu thereof the following: "[2008] **2010**"; and

Further amend said bill, Page 5, Section 143.183, Line 98, by deleting the word "nine" and inserting in lieu thereof the following: "[nine] **eleven**"; and

Further amend said bill, Page 5, Section 143.183, Line 110, by deleting the number "2009" and inserting in lieu thereof the following: "[2009] **2011**"; and

Further amend said bill, Page 5, Section 143.183, Line 111, by deleting the number "2009" and inserting in lieu thereof the following: "[2009] **2011**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ransdall, **House Amendment No. 1** was adopted.

On motion of Representative Gambaro, **HB 1672, as amended**, was ordered perfected and printed.

**HCS HB 1765**, relating to sales/use tax: simplified sales tax, was taken up by Representative Bray.

Representative Reid moved that the consideration of **HCS HB 1765** be postponed until one legislative day after all House Bills from HB 1028 through HB 1500 have been referred to a standing committee.

The Chair ruled that the motion is a privileged motion and only a request to postpone the consideration of **HCS HB 1765** indefinitely or to a specific date is in order.

Representative Reid made a privileged motion that the consideration of **HCS HB 1765** be postponed until Monday, March 4, 2002.

Which motion was defeated by the following vote:

AYES: 066

Barnett	Bartle	Bearden	Behnen	Black
Boatright	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Henderson	Hendrickson
Hohulin	Holand	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Phillips	Portwood	Purgason
Quinn	Rector	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

NOES: 079

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 90	Jolly	Kelly 27	Kelly 36
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	Ostmann	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Ballard	Bartelsmeyer	Berkstresser	Enz
Hegeman	Hunter	Johnson 61	Koller	O'Toole
Reid	Reinhart	Richardson	Skaggs	

VACANCIES: 004

Representative Dempsey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1765, Pages 3 and 4, Section 144.1012, Lines 25-29, by deleting all of said lines.

Representative Dempsey moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Bray, **HCS HB 1765** was adopted.

On motion of Representative Bray, **HCS HB 1765** was ordered perfected and printed.

**REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 361** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 51** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 1472** - Fiscal Review and Government Reform (Fiscal Note)

**HB 1465** - Civil and Administrative Law

**HB 1936** - Agriculture

**HB 1953** - Budget

### **COMMITTEE REPORTS**

**Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1242**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1342**, **HB 1381**, **HB 1492**, **HB 1421**, **HB 1375**, **HB 1495** and **HB 1348 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the first time and copies ordered printed:

**HCR 24**, introduced by Representative Kreider, relating to approval of a project for an agricultural research and demonstration project and related buildings and facilities for the Springfield campus of Southwest Missouri State University funded in part by revenue bonds secured by a pledge of future appropriations of the General Assembly.

**HCR 25**, introduced by Representative Merideth, relating to the creation of the Missouri Commission on the Delta Regional Authority.



## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2037**, introduced by Representative Clayton, relating to liens.

**HB 2038**, introduced by Representative Relford, relating to certain commercial motor vehicles.

**HB 2039**, introduced by Representative Kreider, relating to memorial streets and roads.

**HB 2040**, introduced by Representatives Bray, Riback Wilson (25) and Lowe, relating to the regulation of chip mills.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 885**, entitled:

An act to repeal section 135.207, RSMo, relating to enterprise zones, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 992**, entitled:

An act to repeal section 447.721, RSMo, relating to lost and unclaimed property, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 993**, entitled:

An act to repeal section 321.130, RSMo, relating to residency requirements for fire protection district directors, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS #2 SB 650**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

## **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, February 26, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Twenty-sixth Day, Thursday, February 21, 2002, pages 331 and 332, roll call, by showing Representatives Daus, Kelly (27) and Lowe voting "aye" rather than "absent with leave".

Pages 335 and 336, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

Pages 336 and 337, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

Pages 337 and 338, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 337 and 338, roll call, by showing Representative Champion voting "no" rather than "absent with leave".

Pages 337 and 338, roll call, by showing Representative Hagan-Harrell "absent with leave" rather than voting "no".

Pages 338 and 339, roll call, by showing Representatives Champion and Wilson (42) voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Tuesday, February 26, 2002. Hearing Room 7 upon adjournment.

Mark-up.

To be considered - HB 1108, HB 1109

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, February 27, 2002. Hearing Room 7 upon adjournment.

Mark-up.

To be considered - HB 1108, HB 1109

### **APPROPRIATIONS - EDUCATION**

Tuesday, February 26, 2002. Hearing Room 1 upon adjournment.

Mark-up.

To be considered - HB 1102, HB 1103

**APPROPRIATIONS - EDUCATION**

Wednesday, February 27, 2002. Hearing Room 1 upon adjournment.

Mark-up.

To be considered - HB 1102, HB 1103

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, February 27, 2002. Hearing Room 5 upon adjournment.

To be considered - Executive Session - HB 1106, Executive Session - HB 1107

**APPROPRIATIONS - SOCIAL SERVICES**

Tuesday, February 26, 2002, 8:00 a.m. Hearing Room 3.

Department of Social Services.

**BUDGET**

Tuesday, February 26, 2002. Hearing Room 3 upon morning adjournment.

Executive Session.

To be considered - HB 1115

**CHILDREN, FAMILIES, AND HEALTH**

Tuesday, February 26, 2002, 3:00 p.m. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1548, HB 1718, HB 1926, HB 1938

**CIVIL AND ADMINISTRATIVE LAW**

Wednesday, February 27, 2002, 3:00 p.m. Hearing Room 1.

To be considered - HB 1152, HB 1802, HB 1892, Executive Session - HB 1523,

Executive Session - HB 1768, Executive Session - HB 1780

**COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, February 26, 2002, 3:00 p.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1753, HB 1930, HB 1946

**CORRECTIONAL & STATE INSTITUTIONS**

Tuesday, February 26, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1795, HB 1849

**CRIMINAL LAW**

Wednesday, February 27, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may be held. AMENDED.

To be considered - HB 1029, HB 1058, HB 1059, HB 1629, HB 1686, HB 1700,  
HB 1730, HB 1759, HB 1760

**EDUCATION - ELEMENTARY AND SECONDARY**

Tuesday, February 26, 2002, 3:00 p.m. Hearing Room 3.

Executive Session may follow on House Bills 1084, 1191, 1392 and 1783.

To be considered - HB 1322, HB 1721, HB 1725

**INSURANCE**

Tuesday, February 26, 2002, 4:00 p.m. Hearing Room 5. AMENDED.

To be considered - HB 1821, Executive Session - HB 1473, Executive Session - HB 1502,

Executive Session - HB 1518, Executive Session - HB 1567, Executive Session - HB 1568

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, March 7, 2002. Hearing Room 6 upon adjournment

20CSR 500-6.700. Department of Insurance,

Property & Casualty, Workers' Compensation and Employer's Liability.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, February 27, 2002, 1:00 p.m. Hearing Room 4.

Discussion of Revision Bill and Review of Oversight Reports.

**JUDICIARY**

Tuesday, February 26, 2002, 1:00 p.m. Hearing Room 5.

To be considered - HB 1316, HB 1317, HB 1539, HB 1712, HB 1814, HB 1895, HB 1962,

Executive Session - HB 1076, Executive Session - HB 1244, Executive Session - HB 1537

**LABOR**

Tuesday, February 26, 2002, 5:30 p.m. Hearing Room 3.

To be considered - HB 1932

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, February 26, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1716, HB 1720, HB 1732, HB 1735, HB 1757, HB 1834

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, February 27, 2002, 8:00 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1460, HB 1879, HB 1880, HR 262, HR 318, HR 341

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, February 26, 2002, 3:00 p.m. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1314, HB 1632, HB 1664, HB 1696, HB 1772, HB 1779, HB 1788, HB 1789

**MUNICIPAL CORPORATIONS**

Wednesday, February 27, 2002, 3:00 p.m. Hearing Room 4.  
Executive Session.

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, February 27, 2002, 5:00 p.m. Hearing Room 5.  
Presentation by State Board of Accountancy.  
To be considered - HB 1743, HB 1796, HB 1808, HB 1835, HB 1843, HB 1844, HB 1869, HB 1871

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, February 26, 2002, 8:30 a.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1758, HB 1822, HCR 21

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, February 26, 2002, 8:00 p.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1410, HB 1781, HB 1898, HCR 13

**SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Wednesday, February 27, 2002. Hearing Room 6 upon adjournment.  
Executive Session will follow.  
To be considered - HB 1702

**TRANSPORTATION**

Wednesday, February 27, 2002, 3:00 p.m. Hearing Room 6.  
Executive Session to follow.  
To be considered - HB 1141, HB 1196, HB 1270, HB 1400, HB 1466, HB 1745

**URBAN AFFAIRS**

Tuesday, February 26, 2002, 4:00 p.m. Hearing Room 2. AMENDED.  
To be considered - HB 1509, HB 1510, HB 1851

**WAYS AND MEANS**

Tuesday, February 26, 2002. Hearing Room 2 upon morning adjournment.  
To be considered - HB 1407, HB 1541, HB 1703, HB 1704, HB 1709, HB 1727, HB 1739, HB 1797

**HOUSE CALENDAR**

TWENTY-EIGHTH DAY, TUESDAY, FEBRUARY 26, 2002

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

- 1 HCR 24
- 2 HCR 25

## **HOUSE BILLS FOR SECOND READING**

HB 2037 through HB 2040

## **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1461 & 1470 - Seigfreid
- 2 HCS HB 1202 - Smith
- 3 HCS HB 1069 - Bray
- 4 HB 1594 - Gratz
- 5 HB 1581 - Clayton
- 6 HB 1418, HCA 1 - Barnitz
- 7 HCS HB 1403 - St. Onge
- 8 HCS HB 1817 - Franklin
- 9 HB 1592 - Hickey
- 10 HCS HB 1532 - Hoppe
- 11 HCS HB 1344 & 1944 - Crump

## **HOUSE BILLS FOR PERFECTION - CONSENT**

(2-21-02)

- 1 HB 1477 - Farnen
- 2 HB 1668 - Holt
- 3 HB 1446 - Luetkenhaus
- 4 HB 1078 - Whorton
- 5 HB 1468 - Ward
- 6 HB 1086 - Harlan
- 7 HB 1406 - Barnett
- 8 HB 1402 - Burton

(2-26-02)

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford
- 6 HB 1714 - Hilgemann
- 7 HB 1205 - Seigfreid
- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith

- 13 HB 1412 - Skaggs
- 14 HB 1918 - Koller
- 15 HB 1265 - Gratz
- 16 HB 1242 - Griesheimer
- 17 HB 1075 - Nordwald
- 18 HB 1320 - Reid
- 19 HB 1515 - Burton

#### **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 3, (2-21-02, pages 342 & 343) - Hampton
- 2 HCR 15, (2-21-02, pages 343 & 344) - O'Toole

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1150, 1237 & 1327 - Bray
- 2 HCS HB 1711, E.C. - Graham
- 3 HCS HB 1398, E.C. - Ward
- 4 HS HB 1498 - Johnson (90)
- 5 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 6 HB 1432 - Foley

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1342, E.C. - Farnen
- 2 HB 1381 - Luetkenhaus
- 3 HB 1492 - Seigfreid
- 4 HB 1421 - McKenna
- 5 HB 1375 - Luetkenhaus
- 6 HB 1495 - Seigfreid
- 7 HB 1348 - Myers

#### **SENATE BILLS FOR SECOND READING**

- 1 SCS SB 885
- 2 SB 992
- 3 SB 993

**BILL CARRYING REQUEST MESSAGE**

HCS SS#2 SB 650, (request House recede/grant conference) - Monaco

**HOUSE RESOLUTION**

HR 150, (2-21-02, page 344) - Vogel



# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTY-EIGHTH DAY, TUESDAY, FEBRUARY 26, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God of freedom and love, fan the spark of Your essence in each of us into a flame of justice and mercy. Sustain this House of Representatives again today as it continues on its journey toward a better state through better laws.

As You hold us in the palm of Your gentle hands, also challenge us with grace and mercy to build an even better world. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lindsay Miller, Meredith Brick, Brady Russell, Morgan Russell, Mary Russell, Dallas Polen, Emily Hawkins, Andrew Hawkins, Alex May, Hanna May, Gerald Martin, Rashonda Hogan, Makida Seward and Dorian Mabry.

The Journal of the twenty-seventh day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 481

and

House Resolution No. 482 - Representative Reid

House Resolution No. 483 - Representative Behnen

House Resolution No. 484 - Representative Dolan

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 24** and **HCR 25** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2037** through **HB 2040** were read the second time.

## SECOND READING OF SENATE BILLS

**SCS SB 885**, **SB 992** and **SB 993** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1672** and **HCS HB 1765**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## BILL CARRYING REQUEST MESSAGE

**HCS SS #2 SB 650**, relating to statute of limitations, was taken up by Representative Monaco.

Representative Monaco moved that the House refuse to recede from its position on **HCS SS #2 SB 650** and grant the Senate a conference.

Speaker Pro Tem Abel assumed the Chair.

Representative Ridgeway made a substitute motion that the House refuse to recede from its position on **HCS SS #2 SB 650**, grant the Senate a conference and the conferees be allowed to exceed the differences.

Which motion was defeated.

Representative Monaco again moved that the House refuse to recede from its position on **HCS SS #2 SB 650** and grant the Senate a conference.

Which motion was adopted.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HCS SS #2 SB 650**: Representatives Monaco, Hosmer, Clayton, Crowell and Richardson

## THIRD READING OF HOUSE BILLS - CONSENT

**HB 1342**, relating to uncontested elections, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 1342** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Barnitz	Clayton	Merideth	Seigfreid	Williams
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PRESENT: 000

ABSENT WITH LEAVE: 003

Enz	Johnson 61	Skaggs
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan

Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemaker	Shoemyer
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 006

Barnitz	Clayton	Hohulin	Merideth	Seigfreid
Williams				

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Enz	Johnson 61	Skaggs
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VACANCIES: 004

**HB 1381**, relating to insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HB 1381** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding

Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Wagner	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Clayton                      Williams

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Byrd	Enz	Foley	Hoppe
Johnson 61	Koller	Lawson	Long	Reynolds
Skaggs	Troupe	Vogel		

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

Representative Hollingsworth assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

**HB 1492**, relating to campaign finance disclosure, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 1492** was read the third time and passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Froelker

Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Clayton	Hohulin	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Enz	Hoppe	Johnson 61	Lawson
Moore	Skaggs			

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1421**, relating to community college maintenance funds, was taken up by Representative McKenna.

On motion of Representative McKenna, **HB 1421** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curts	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding

Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Clayton

PRESENT: 000

ABSENT WITH LEAVE: 009

Bray 84	Champion	Enz	Foley	Hoppe
Johnson 61	Naeger	Skaggs	Troupe	

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

### **PERFECTION OF HOUSE BILL**

**HB 1594**, relating to pay raises for correctional officers, was taken up by Representative Gratz.

Representative Gratz offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 1594, Page 1, Section 217.105, Line 3, by inserting immediately after the word “of” the following: **“no less than”**.

On motion of Representative Gratz, **House Amendment No. 1** was adopted.

Representative Seigfreid offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 1594, Page 1, Section 217.105, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"217.105. On July 1, 2003, subject to appropriations, corrections officers and probation and parole officers shall"; and**

Further amend said bill, Page 1, Section 217.105, Line 3, by deleting all of said line and inserting in lieu thereof the following:

**"corrections officer or probation and parole officer. Thereafter, corrections officers and probation and parole officers shall receive a salary increase of two"; and**

Further amend said bill, Page 1, Section 217.107, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"217.107. 1. Any corrections officer or probation and parole officer who has accrued any overtime hours may"; and**

Further amend said bill, Page 1, Section 217.107, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the following:

**"available and agreed upon by both the corrections officer or the probation and parole officer and his or her supervisor.**

**2. Any corrections officer or probation and parole officer who has accrued overtime hours may give notice, in"; and**

Further amend said bill, Page 1, Section 217.107, Line 7, by deleting all of said line and inserting in lieu thereof the following:

**"receipt of such notice, pay the corrections officer or the probation and parole officer for the overtime hours he or she has"; and**

Further amend said bill, Page 1, Section 217.107, Line 10, by deleting all of said line and inserting in lieu thereof the following:

**"all corrections officers and probation and parole officers in full for any overtime hours accrued during the previous calendar"; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Seigfreid, **House Amendment No. 2** was adopted.

Representative Villa assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

**HB 1594, as amended**, was laid over.



## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1032** - Professional Registration and Licensing
- HB 1922** - Transportation
- HB 1945** - Children, Families and Health

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

- HB 2041**, introduced by Representative Liese, relating to special event license plates.
- HB 2042**, introduced by Representatives Riback Wilson (25), Foley, Boucher, Hosmer and Williams, et al, relating to child safety restraints.
- HB 2043**, introduced by Representatives Cunningham and Portwood, relating to industrial development.
- HB 2044**, introduced by Representatives Merideth and Holand, relating to senior citizens property tax relief.
- HB 2045**, introduced by Representatives Ross, Liese, Luetkemeyer and Hartzler, relating to income tax credit for income paid to another state.
- HB 2046**, introduced by Representatives Relford and Hoppe, relating to contracts for public water and sewer supply.
- HB 2047**, introduced by Representatives Ransdall, Reynolds, Boucher, Selby, Ross, Hampton and Gaskill, relating to public higher education students called to active military service.
- HB 2048**, introduced by Representatives Boucher, Ransdall, McKenna, Reinhart, Ross, Reynolds and Gaskill, et al, relating to special license plates.
- HB 2049**, introduced by Representative Ladd Baker, relating to an exemption from the certificate of authority requirements for health maintenance organizations acting as PACE projects.
- HB 2050**, introduced by Representative Barnitz, relating to public safety offenses.
- HB 2051**, introduced by Representative Hosmer, relating to abandoned property.
- HB 2052**, introduced by Representative Hosmer, relating to railroad corporations.
- HB 2053**, introduced by Representative Smith, relating to tobacco products.

**HB 2054**, introduced by Representative Long, relating to speed limits on county roads.

**HB 2055**, introduced by Representative Hendrickson, relating to privileged communications.

**HB 2056**, introduced by Representatives Hosmer, Kreider and Marsh, relating to felony sexual offenses.

**HB 2057**, introduced by Representative Barry, relating to medical testing of individuals delivered to the department of corrections.

**HB 2058**, introduced by Representatives Shoemyer (9), Kreider, Smith and Carnahan, et al, relating to Breimyer Center for Sustainable Food and Farming Systems.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HBs 1037, 1188, 1074 & 1271**, entitled:

An act to replace section 556.036, RSMo, relating to sexual offenses, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 35**.

### SENATE CONCURRENT RESOLUTION NO. 35

WHEREAS, under the Balanced Budget Act of 1997, Congress mandated that ambulance services be placed on a fee schedule for Medicare reimbursement; and

WHEREAS, to develop the fee schedule, Congress required that a Negotiated Rulemaking Committee be convened to establish certain policies of the fee schedule and implementation of the rule establishing this fee schedule is planned for April of 2002; and

WHEREAS, the fee schedule is based on four-year old cost data, and additionally, Medicare will only pay 80% of the lesser amount of either the actual charge from the ambulance provider or the Fee Schedule Amount and the patient will be responsible for the remaining 20%;

WHEREAS, Ambulance services will no longer be able to bill the patient any amount beyond the 20% coinsurance and any unmet deductible, then ambulance services will have to absorb any cost over and above the fee schedule amount; and

WHEREAS, by requiring the Medicare schedule to be accepted as total payment, providers (including hospitals, public utility model systems and private operators) who have had low Medicare allowable charges will not be able to balance-bill the patients for the difference and the burden will be on the ambulance service to shoulder the reimbursement that is below today's costs or stop providing service, and the Schedule requires reimbursement at a basic life support rate for some procedures that are considered to be advanced life support measures; and

WHEREAS, although national practice standards and state training requirements mandate that some procedures be performed by paramedics, the Medicare program will only pay for the service at the basic, EMT rate, thus, ambulance services will have to further supplement the cost of services by paying the higher paramedic salary for services that will be reimbursed at the lower EMT allowable cost, or discontinue offering the higher level of emergency care; and

WHEREAS, the revised fee takes effect immediately in April, 2002, and the federal Centers for Medicare and Medicaid Services will not allow a transition period for providers who in the past have billed runs at the paramedic (advanced life support) level on every call because of local ordinances that require advanced life support on every call; and

WHEREAS, local communities will have to decide if they are going to continue to require services to provide the advanced life support level of care, and since Medicare is reducing support for this higher level of care, communities may have to downgrade to a basic life support, thereby decreasing the level of emergency care available to Missourians:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge Congress to redesign the ambulance fee schedule for Medicare reimbursement to take into consideration current actual cost data and support of advanced life support emergency medical services because without these considerations, Missourians cannot be assured that they will receive the level of medical services they need in times of a medical emergency; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS #2 SB 650**: Senators Singleton, Klarich, Klindt, House and Caskey.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 718**, entitled:

An act to repeal section 171.021, RSMo, relating to reciting the Pledge of Allegiance in public schools, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 756**, entitled:

An act to amend chapter 171, RSMo, by adding thereto one new section relating to school absences for participation in the Missouri state fair.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 997**, entitled:

An act to repeal section 140.110, RSMo, and to enact in lieu thereof one new section relating to collection of back taxes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1048**, entitled:

An act to repeal section 304.027, RSMo, and to enact in lieu thereof one new section relating to the spinal cord injury fund.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Marsh is no longer a member of the Education-Higher Committee, but has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

Representative Hickey has been appointed a member of the Miscellaneous Bills & Resolutions Committee.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, February 27, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Twenty-seventh Day, Monday, February 25, 2002, pages 355 and 356, roll call, by showing Representative Robbirds voting "aye" rather than "absent with leave".

Pages 358 and 359, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, February 27, 2002, 3:00 p.m. Hearing Room 7.

Executive Session may follow on HB 1837.

To be considered - HB 1794, HB 1863, HB 1936, HCR 14, HR 281

**APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Wednesday, February 27, 2002. Hearing Room 7 upon adjournment.

Mark-up.

To be considered - HB 1108, HB 1109

**APPROPRIATIONS - EDUCATION**

Wednesday, February 27, 2002. Hearing Room 1 upon adjournment.

Mark-up.

To be considered - HB 1102, HB 1103

**APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES**

Wednesday, February 27, 2002. Hearing Room 5 upon adjournment.

To be considered - Executive Session - HB 1106, Executive Session - HB 1107

**APPROPRIATIONS - SOCIAL SERVICES**

Wednesday, February 27, 2002, 8:00 a.m. Hearing Room 3.

Department of Social Services.

**APPROPRIATIONS - SOCIAL SERVICES**

Wednesday, February 27, 2002. Hearing Room 3 upon adjournment.

Department of Social Services. Managed Care Update.

**BANKS AND FINANCIAL INSTITUTIONS**

Wednesday, February 27, 2002, 3:00 p.m. House Lounge.

Executive Session will follow. AMENDED.

To be considered - HB 1762, HR 51

**BUDGET**

Wednesday, February 27, 2002, 3:30 p.m. Hearing Room 3.

Discussion of Homeland Security and Related Budgetary Issues.

**CIVIL AND ADMINISTRATIVE LAW**

Wednesday, February 27, 2002, 3:00 p.m. Hearing Room 1.

To be considered - HB 1152, HB 1802, HB 1892

Executive Session - HB 1523, Executive Session - HB 1768, Executive Session - HB 1780

**CRIMINAL LAW**

Wednesday, February 27, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may be held. AMENDED.

To be considered - HB 1029, HB 1058, HB 1059, HB 1629, HB 1686, HB 1700,  
HB 1730, HB 1759, HB 1760

EDUCATION - HIGHER

Wednesday, February 27, 2002, 3:00 p.m. Hearing Room 5.  
Possible Executive Session on any bills heard by the committee.  
To be considered - HB 1710

ENVIRONMENT AND ENERGY

Wednesday, February 27, 2002. Side gallery upon adjournment.  
Executive Session.  
To be considered - HB 1569

ENVIRONMENT AND ENERGY

Thursday, February 28, 2002, 8:30 a.m. Hearing Room 7.  
Executive Session may follow.  
To be considered - HB 1323, HB 1599, HB 1754

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, February 27, 2002, 2:00 p.m. Hearing Room 2.  
To be considered - HB 1855, Executive Session - HB 1906, Executive Session - HJR 45

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 7, 2002. Hearing Room 6 upon adjournment  
20CSR 500-6.700. Department of Insurance, Property & Casualty,  
Workers' Compensation and Employer's Liability.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, February 27, 2002, 1:00 p.m. Hearing Room 4.  
Discussion of Revision Bill and Review of Oversight Reports.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 27, 2002, 8:00 a.m. Hearing Room 6.  
Executive Session may follow. AMENDED.  
To be considered - HB 1460, HB 1879, HB 1880, HB 1994, HCR 11, HR 262, HR 318, HR 341

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, February 28, 2002, 8:30 a.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1596, HB 1777

MUNICIPAL CORPORATIONS

Wednesday, February 27, 2002, 3:00 p.m. Hearing Room 4.  
Executive Session.

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, February 27, 2002, 5:00 p.m. Hearing Room 5.

Presentation by State Board of Accountancy. AMENDED.

To be considered - HB 1032, HB 1743, HB 1796, HB 1808, HB 1835, HB 1843, HB 1844, HB 1869, HB 1871

**RETIREMENT**

Wednesday, February 27, 2002, 8:00 p.m. Hearing Room 1.

Executive Session may follow on HB 1455.

To be considered - HB 1524, HB 1529, HB 1560, HB 1734, HB 1823

**SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Wednesday, February 27, 2002. Hearing Room 6 upon adjournment.

Executive Session will follow.

To be considered - HB 1702

**TRANSPORTATION**

Wednesday, February 27, 2002, 3:00 p.m. Hearing Room 6.

Executive Session to follow.

To be considered - HB 1141, HB 1196, HB 1270, HB 1400, HB 1466, HB 1745

**HOUSE CALENDAR**

TWENTY-NINTH DAY, WEDNESDAY, FEBRUARY 27, 2002

**HOUSE BILLS FOR SECOND READING**

HB 2041 through HB 2058

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1461 & 1470 - Seigfreid
- 2 HCS HB 1202 - Smith
- 3 HCS HB 1069 - Bray
- 4 HB 1594, as amended - Gratz
- 5 HB 1581 - Clayton
- 6 HB 1418, HCA 1 - Barnitz
- 7 HCS HB 1403 - St. Onge
- 8 HCS HB 1817 - Franklin
- 9 HB 1592 - Hickey
- 10 HCS HB 1532 - Hoppe
- 11 HCS HB 1344 & 1944 - Crump

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2-21-02)

- 1 HB 1477 - Farnen
- 2 HB 1668 - Holt
- 3 HB 1446 - Luetkenhaus
- 4 HB 1078 - Whorton
- 5 HB 1468 - Ward
- 6 HB 1086 - Harlan
- 7 HB 1406 - Barnett
- 8 HB 1402 - Burton

(2-26-02)

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford
- 6 HB 1714 - Hilgemann
- 7 HB 1205 - Seigfreid
- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith
- 13 HB 1412 - Skaggs
- 14 HB 1918 - Koller
- 15 HB 1265 - Gratz
- 16 HB 1242 - Griesheimer
- 17 HB 1075 - Nordwald
- 18 HB 1320 - Reid
- 19 HB 1515 - Burton

**HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 3, (2-21-02, pages 342 & 343) - Hampton
- 2 HCR 15, (2-21-02, pages 343 & 344) - O'Toole

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry



**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1150, 1237 & 1327 - Bray
- 2 HCS HB 1711, E.C. - Graham
- 3 HCS HB 1398, E.C. - Ward
- 4 HS HB 1498 - Johnson (90)
- 5 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 6 HB 1432 - Foley
- 7 HB 1672 - Gambaro
- 8 HCS HB 1765, E.C. - Bray

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1375 - Luetkenhaus
- 2 HB 1495 - Seigfreid
- 3 HB 1348 - Myers

**SENATE CONCURRENT RESOLUTION FOR SECOND READING**

SCR 35

**SENATE BILLS FOR SECOND READING**

- 1 SB 718
- 2 SCS SB 756
- 3 SCS SB 997
- 4 SB 1048

**HOUSE BILL WITH SENATE AMENDMENTS**

SCS HS HCS HB 1037, 1188, 1074 & 1271, E.C. - Hosmer

**BILL IN CONFERENCE**

HCS SS#2 SB 650 - Monaco

**HOUSE RESOLUTION**

HR 150, (2-21-02, page 344) - Vogel

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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TWENTY-NINTH DAY, WEDNESDAY, FEBRUARY 27, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: we thank You for the rich heritage of this Chamber and those who labored here, before us, to serve the people of Missouri. They came from towns and cities, with varied backgrounds, to work and act for Missouri, remembering especially pioneering African-American legislators. We pray for our state with full hearts, and for those who labor here today for the common good.

Bless, with the gift of patience and understanding, these men and women of this House and those who support them. At times they are cast in difficult situations with the heavy strains of compromise and decision. Keep them this day by Your grace, so they may speak straight, be compassionate, and lead us in trying times.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyle West, Alex Burfield, Matt Garrett, Jordan Henningsen, Sam Kennedy, Ian Kidwell, Taylor Price, Brett Russell, Ethan Kearbey, Ashli Wallace, Jeffrey Walker Smith, Adam Barker, Evan Barwick, Matt Boyers, Kelsey Brown, Chris Drury, Sheldon Price, Joshua Rathbun, Brian Richardson, Perry Salyer, James Sorrell and Jonathan Varner.

The Journal of the twenty-eighth day was approved as corrected.

## RESOLUTION

**House Resolution No. 485** was taken up by Representative Koller and read.

### HOUSE RESOLUTION NO. 485

WHEREAS, it is with profound sadness that the Missouri House of Representatives pauses in its legislative activities in order to note the passing of an esteemed Show-Me State public safety officer who lost his life in the line of duty; and

WHEREAS, Missouri State Highway Patrol Trooper Kelly L. Poynter was born on the festive winter holiday of December Twenty-fifth, 1974, in the south central Missouri community of Lebanon, which welcomed him with open arms and enjoyed watching him commit himself wholeheartedly to a course of study which resulted in his graduation from Lebanon R-III Senior High School in 1993; and

WHEREAS, following the completion of his secondary education, Kelly Poynter continued to apply himself diligently to make the most of his educational opportunities and earn an Associate of Arts degree in criminal justice from Mineral Area College and then successfully make his way through the Missouri State Highway Patrol Law Enforcement Academy in 1996; and

WHEREAS, proudly donning the blue uniform of the Missouri State Highway Patrol, Trooper Kelly Poynter was first assigned to Troop G, Zone 4, in Carter County, and was subsequently transferred to Troop G, Zone 2, in Houston; and

WHEREAS, on January 18, 2002, Trooper Kelly Poynter was fulfilling his sworn duties and responsibilities as a law enforcement officer by coming to the assistance of individuals involved in a traffic crash on U.S. Highway 63 two miles south of Houston when he was struck and killed by a drunk driver; and

WHEREAS, the twenty-second member of the Missouri State Highway Patrol to be killed while on duty, Trooper Poynter leaves behind his loving wife, Alison, and their two small children whose grief at this terrible loss in their lives can be tenderly assuaged by remembering the utmost care and professionalism with which their loved one conducted himself in his daily endeavors:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously to salute the late Kelly Poynter and to convey this legislative body's sincerest condolences to his surviving family members, many friends, and colleagues as they quietly preserve in their hearts and in their minds the light and warmth with which he so generously touched their lives while on this most precious earth; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in memory of Trooper Kelly Poynter of the Missouri State Highway Patrol.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

- |                          |   |                                   |
|--------------------------|---|-----------------------------------|
| House Resolution No. 485 | - | Representative Koller             |
| House Resolution No. 486 | - | Representative Griesheimer        |
| House Resolution No. 487 | - | Representative Monaco             |
| House Resolution No. 488 | - | Representative Naeger             |
| House Resolution No. 489 | - | Representative Mayer              |
| House Resolution No. 490 | - | Representative Marble             |
| House Resolution No. 491 |   |                                   |
| through                  |   |                                   |
| House Resolution No. 494 | - | Representative Scott              |
| House Resolution No. 495 | - | Representative Berkstresser       |
| House Resolution No. 496 | - | Representative Hegeman            |
| House Resolution No. 497 | - | Representative Van Zandt          |
| House Resolution No. 498 | - | Representatives Ross and Lograsso |
| House Resolution No. 499 |   |                                   |
| and                      |   |                                   |
| House Resolution No. 500 | - | Representative Kreider            |
| House Resolution No. 501 | - | Representative Thompson           |
| House Resolution No. 502 | - | Representative Nordwald           |
| House Resolution No. 503 | - | Representative Byrd               |
| House Resolution No. 504 | - | Representative Jetton             |

House Resolution No. 505 - Representative Smith  
House Resolution No. 506  
through  
House Resolution No. 517 - Representative Walton

### **SECOND READING OF HOUSE BILLS**

**HB 2041** through **HB 2058** were read the second time.

### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 35** was read the second time.

### **SECOND READING OF SENATE BILLS**

**SB 718**, **SCS SB 756**, **SCS SB 997** and **SB 1048** were read the second time.

### **PERFECTION OF HOUSE BILLS**

**HB 1594, as amended**, relating to pay raises for correctional officers, was placed on the Informal Calendar.

**HCS HB 1202**, relating to sales/use tax: refund of taxes, was taken up by Representative Smith.

Speaker Pro Tem Abel assumed the Chair.

Representative Foley offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1202, Page 2, Section 144.190, Line 44, by inserting in lieu thereof the following:

**“6. All new revenues resulting from the enactment of this section shall be deposited in the state school moneys trust fund as provided in section 163.031, RSMo.”**

Representative Hegeman offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Smith raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative Foley, **House Amendment No. 1** was adopted.

Representative Cooper offered **House Amendment No. 2.***House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1202, Page 2, Section 144.190, Line 32, by inserting the following:

**“4. Any retailer who has less than one million dollars of taxable sales per year shall be exempt from the provisions of 144.190, section 3”; and**

Renumber references accordingly.

On motion of Representative Cooper, **House Amendment No. 2** was adopted by the following vote:

AYES: 076

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Koller	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Seigfreid	Selby	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Wagner
Wright				

NOES: 074

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 90	Jolly	Kelly 27	Kelly 36	Lawson
Liese	Lowe	Luetkenhaus	McKenna	Merideth
Monaco	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Scheve	Shelton	Shoemyer
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 009

Clayton	Enz	Gratz	Johnson 61	Mays 50
O'Connor	Richardson	Secrest	Skaggs	

VACANCIES: 004

Representative Hohulin requested verification of the roll call on the adoption of **House Amendment No. 2**.

Representative Hegeman offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1202, Page 1, Section 144.190, Line 14, by inserting after the number “3.” the following: “**Except as provided in subsection 6 of this section,**”; and

Further amend said substitute, Page 2, Section 144.190, Line 44, by inserting after said line the following:

**“6. In lieu of subsection 3 of this section, if any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, or refunded, with interest as determined by section 32.065, RSMo, to the person legally obligated to remit the tax, only if duplicate copies of a claim for refund are filed within three years from date of overpayment and the person legally obligated to remit the tax submits a plan between the person and the director to generally refund the amount of overpayment in equal installments to future customers of the person by mutually agreed to distribution of a fixed value coupon to such customers.”.**

Representative Smith raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Hegeman, **House Amendment No. 3** was adopted by the following vote:

AYES: 078

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Fares	Froelker	Gaskill	Gratz
Green 15	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

NOES: 074

Abel	Barry 100	Berkowitz	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Copenhaver	Crump
Curls	Daus	Davis	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 90	Jolly	Kelly 27
Kelly 36	Koller	Liese	Lowe	Mays 50
McKenna	Merideth	Monaco	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Clayton	Enz	Johnson 61	Lawson
O'Connor	Skaggs			

VACANCIES: 004

**HCS HB 1202, as amended**, was placed on the Informal Calendar.

### **HOUSE BILL WITH SENATE AMENDMENT**

**SCS HS HCS HBs 1037, 1188, 1074 & 1271**, relating to statute of limitations, was taken up by Representative Hosmer.

Representative Hosmer moved that the House refuse to adopt **SCS HS HCS HBs 1037, 1188, 1074 & 1271** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### **THIRD READING OF HOUSE BILLS - CONSENT**

**HB 1375**, relating to mortgage insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HB 1375** was read the third time and passed by the following vote:

AYES: 134

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Franklin	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Jolly	Kelley 47	Kelly 144
Kelly 36	King	Lawson	Legan	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	Merideth
Miller	Moore	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	

NOES: 012

Byrd	Fraser	Harding	Hendrickson	Hickey
Holand	Johnson 90	McKenna	Monaco	Reynolds
Williams	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 013

Enz	Graham	Hosmer	Johnson 61	Kelly 27
Koller	Long	Mayer	Murphy	O'Connor
Shelton	Skaggs	Van Zandt		

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1495**, relating to campaign finance disclosure, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 1495** was read the third time and passed by the following vote:



AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 001

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 017

Black	Enz	Franklin	Graham	Hanaway
Hosmer	Johnson 61	Koller	Lograsso	Long
Mayer	Murphy	O'Connor	Reynolds	Scheve
Shelton	Skaggs			

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1348**, relating to boll weevil eradication, was taken up by Representative Myers.

On motion of Representative Myers, **HB 1348** was read the third time and passed by the following vote:

AYES: 139

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	

NOES: 003

Foley	Smith	Mr. Speaker
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PRESENT: 001

Curls

ABSENT WITH LEAVE: 016

Enz	Graham	Hanaway	Hosmer	Johnson 61
Koller	Lograsso	Long	Mayer	Murphy
O'Connor	Scheve	Shelton	Skaggs	Williams
Wright				

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

## PERFECTION OF HOUSE BILLS

**HB 1581**, relating to the state highway patrol, was taken up by Representative Clayton.

Representative Willoughby assumed the Chair.

On motion of Representative Clayton, **HB 1581** was ordered perfected and printed.

**HB 1418, with House Committee Amendment No. 1**, relating to state parks, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **House Committee Amendment No. 1** was adopted.

On motion of Representative Barnitz, **HB 1418, as amended**, was ordered perfected and printed.

### LETTERS OF OBJECTION

February 27, 2002

Chief Clerk Ted Wedel  
Missouri House of Representatives  
Jefferson City, MO 65101

Dear Mr. Wedel:

We the undersigned respectfully request that **HB 1265** be removed from the Consent Calendar pursuant to House Rule 48. We believe this bill is of controversial nature.

Respectfully yours,

/s/ Vicky Riback Wilson    District 25  
/s/ Glenda Kelly            District 27  
/s/ Tim Harlan              District 23

/s/ Cindy Ostmann            District 14  
/s/ Peter Myers              District 160

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February 27, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
State Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel:

We, the undersigned, respectfully request **House Bill #1412** be removed from the Consent Calendar pursuant to House Rule 48. We believe this bill is of controversial nature.

Respectfully yours,

/s/ Wayne Crump            District 152  
/s/ Frank Barnitz            District 150  
/s/ Chuck Purgason         District 151

/s/ Denny Merideth         District 162  
/s/ Larry Crawford         District 117

## REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 24** - Public-Private Partnerships

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated pursuant to Rule 48:

**HB 1265** - Rules, Joint Rules and Bills Perfected and Printed

**HB 1412** - Rules, Joint Rules and Bills Perfected and Printed

The following House Bills were referred to the Committee indicated:

**HB 1939** - Social Services, Medicaid and the Elderly

**HB 2024** - Education-Elementary and Secondary

**HB 2046** - Local Government and Related Matters

## COMMITTEE REPORTS

**Committee on Correctional and State Institutions**, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1795**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1849**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1783**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Environment and Energy**, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1569**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1314**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1632**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1778**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1779**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1788**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1789**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 1822**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 26**, introduced by Representative Kelley (47), to create a Joint Committee of the General Assembly to make a comprehensive analysis of the child abuse and neglect hotline system.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2059**, introduced by Representative Hosmer, relating to regional administrative hearings.

**HB 2060**, introduced by Representative Johnson (61), relating to a law enforcement sales tax.

**HB 2061**, introduced by Representatives Willoughby, Harding, Phillips and Reinhart, relating to regional child assessment centers.

**HB 2062**, introduced by Representatives Hosmer, Britt and Gaskill, relating to restricted driving privilege.

**HB 2063**, introduced by Representative Seigfreid, relating to the rural economic development commission.

**HB 2064**, introduced by Representatives Walton, Villa and Gambaro, relating to deeds on real property sold at tax foreclosure sales.

**HB 2065**, introduced by Representatives Ransdall, Koller, Relford, May (149), Treadway and Townley, et al, relating to the privilege of selling wine.

**HB 2066**, introduced by Representatives Kelley (47), Phillips and Hunter, et al, relating to the office of child protection information.

**HB 2067**, introduced by Representatives Cooper, Bearden, Roark, Hunter and Reinhart, et al, relating to unsolicited electronic messages.

**HB 2068**, introduced by Representative Kelley (47), relating to the transfer of custody of a child.

**HB 2069**, introduced by Representative Koller, relating to compliance with the directives of executive order number 02-03, signed by the governor February 7, 2002.

**HB 2070**, introduced by Representative Troupe, relating to the imposition of fees for the processing of child support payments.

**HB 2071**, introduced by Representative Troupe, relating to alternative health care for persons committed to correctional centers.

**HB 2072**, introduced by Representative Troupe, relating to designation of a bridge.

**HB 2073**, introduced by Representatives Lawson, Shields and Kelly (27), relating to bailiffs and court marshals.

**HB 2074**, introduced by Representative Cunningham, relating to regulation of lane usage by certain commercial motor vehicles.

**HB 2075**, introduced by Representatives Walton, Shelton, Moore, Wilson (42), Haywood, Curls and Sanders Brooks, et al, relating to the A+ schools program.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 48**.

### SENATE CONCURRENT RESOLUTION NO. 48

WHEREAS, there are a total of 221,200 Missouri jobs that are dependant on the automobile industry; and

WHEREAS, these Missouri jobs are important to communities in terms of employment opportunities and training, supporting Missouri tax bases and education systems; and

WHEREAS, the state of Missouri produced 1,221,109 cars and light trucks in 1999; and

WHEREAS, in 2000, 52% of new vehicles registered in Missouri were light trucks; and

WHEREAS, residents of Missouri rely heavily on light trucks to meet the needs of families, small businesses, farmers, ranchers, and tradesmen; and

WHEREAS, the Corporate Average Fuel Economy (CAFÉ) standards particularly disadvantage manufacturers who offer a broad range of cars and trucks; and

WHEREAS, increases in CAFÉ standards will limit the supply of mid- and full-sized cars and trucks which will increase the price of those vehicles; and

WHEREAS, the truck segment is the growth segment in the industry, responsible for expansion and new jobs; and

WHEREAS, major increases in CAFÉ would restrict or eliminate some of the most popular Missouri cars and trucks, with the accompanying Missouri jobs; and

WHEREAS, all nine members of the Missouri United States Congressional Delegation voted against CAFÉ increases during the United States House of Representatives debate on House Resolution No. 4; and

WHEREAS, there are several proposals before the United States Senate to increase the standards for Corporate Average Fuel Economy (CAFÉ):

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, that the members of the Missouri General Assembly oppose the increases in CAFÉ standards and any increase in CAFÉ; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for every member of the Missouri Congressional Delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 690**, entitled:

An act to repeal section 109.250, RSMo, relating to the state records commission, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 729**, entitled:

An act to repeal section 443.415, RSMo, relating to mortgage insurance, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 812**, entitled:

An act to repeal section 536.035, RSMo, relating to the publication of executive orders in the Missouri Register, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 831**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to public holidays.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 918**, entitled:

An act to amend chapter 71, RSMo, by adding thereto one new section relating to the display of the United States flag.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1001**, entitled:

An act to amend chapter 57, RSMo, by adding thereto one new section relating to sheriff's retirement.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: O'Connor.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, February 28, 2002.



## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Twenty-eighth Day, Tuesday, February 26, 2002, pages 372 and 373, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Pages 374 and 375, roll call, by showing Representatives Champion and Naeger voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - EDUCATION**

Thursday, February 28, 2002. Hearing Room 1 upon adjournment.

Mark-up. Possible Executive Session.

To be considered - HB 1102, HB 1103

### **APPROPRIATIONS - SOCIAL SERVICES**

Thursday, February 28, 2002, 8:00 a.m. Hearing Room 3.

Department of Social Services

### **APPROPRIATIONS - SOCIAL SERVICES**

Thursday, February 28, 2002. Hearing Room 3 upon adjournment.

Department of Social Services (if needed)

### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, February 28, 2002. Side gallery upon adjournment.

Executive Session.

The following may be considered: HBs 1033,1208,1481,1548,1926,1938.

### **COMMERCE AND ECONOMIC DEVELOPMENT**

Thursday, February 28, 2002. Side gallery upon adjournment.

Executive Session only.

### **ENVIRONMENT AND ENERGY**

Thursday, February 28, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1323, HB 1599, HB 1754

### **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, March 7, 2002. Hearing Room 6 upon adjournment

20CSR 500-6.700

Department Insurance, Property & Casualty, Workers' Compensation and Employer's Liability

### **JOINT COMMITTEE ON CORRECTIONS**

Monday, March 4, 2002, 1:30 p.m. Senate Committee Room 1.

Discuss Missouri Vocational Enterprises. Other business.

**JUDICIARY**

Thursday, February 28, 2002, 9:15 a.m. Hearing Room 5.

To be considered - Executive Session - HB 1539, Executive Session - HB 1712,  
Executive Session - HB 1814, Executive Session - HB 1895, Executive Session - HB 1962

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Thursday, February 28, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1596, HB 1777

**HOUSE CALENDAR**

THIRTIETH DAY, THURSDAY, FEBRUARY 28, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 26

**HOUSE BILLS FOR SECOND READING**

HB 2059 through HB 2075

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1461 & 1470 - Seigfreid
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1403 - St. Onge
- 4 HCS HB 1817 - Franklin
- 5 HB 1592 - Hickey
- 6 HCS HB 1532 - Hoppe
- 7 HCS HB 1344 & 1944 - Crump

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1202, as amended - Smith

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2-21-02)

- 1 HB 1477 - Farnen
- 2 HB 1668 - Holt
- 3 HB 1446 - Luetkenhaus
- 4 HB 1078 - Whorton

- 5     HB 1468 - Ward
- 6     HB 1086 - Harlan
- 7     HB 1406 - Barnett
- 8     HB 1402 - Burton

(2-26-02)

- 1     HB 1159 - Boykins
- 2     HB 1214 - Davis
- 3     HB 1624 - Skaggs
- 4     HB 1204 - Seigfreid
- 5     HB 1093 - Relford
- 6     HB 1714 - Hilgemann
- 7     HB 1205 - Seigfreid
- 8     HB 1411 - Skaggs
- 9     HB 1094 - Relford
- 10    HB 1397 - Ransdall
- 11    HB 1391 - Smith
- 12    HB 1272 - Smith
- 13    HB 1918 - Koller
- 14    HB 1242 - Griesheimer
- 15    HB 1075 - Nordwald
- 16    HB 1320 - Reid
- 17    HB 1515 - Burton

#### **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1     HCR 3, (2-21-02, pages 342 & 343) - Hampton
- 2     HCR 15, (2-21-02, pages 343 & 344) - O'Toole

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1     HCS HB 1150, 1237 & 1327 - Bray
- 2     HCS HB 1711, E.C. - Graham
- 3     HCS HB 1398, E.C. - Ward
- 4     HS HB 1498 - Johnson (90)
- 5     HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 6     HB 1432 - Foley
- 7     HB 1672 - Gambaro
- 8     HCS HB 1765, E.C. - Bray

**SENATE CONCURRENT RESOLUTION FOR SECOND READING**

SCR 48

**SENATE BILLS FOR SECOND READING**

- 1 SB 690
- 2 SCS SB 729
- 3 SB 812
- 4 SB 831
- 5 SCS SB 918
- 6 SB 1001

**BILL CARRYING REQUEST MESSAGE**

SCS HS HCS HB 1037, 1188, 1074 & 1271, (request Senate recede/grant conference) - Hosmer

**BILL IN CONFERENCE**

HCS SS#2 SB 650 - Monaco

**HOUSE RESOLUTION**

HR 150, (2-21-02, page 344) - Vogel

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTIETH DAY, THURSDAY, FEBRUARY 28, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious Lord: we are thankful for the life You give us this day, and we commend to Your care all who are in special need. We pray for those who are hammered daily on the anvil of prejudice and hate; all who are aged and infirm or handicapped, for our school children; and all whose lives are twisted by fear, by temptation, by addiction or by greed.

Bless now, Eternal Lord, these men and women of the House. Protect them from a spirit of indifference to the neediest, the most vulnerable and the helpless. Confirm them in their compassion, their highest values and keep before them their opportunity to make a difference.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ryan Scherr, Paige Cook, Zach McCrady, Anthony Harris and Amanda Moore.

The Journal of the twenty-ninth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 518	-	Representative Clayton
House Resolution No. 519	-	Representative Reinhart
House Resolution No. 520	-	Representatives Hohulin and Hunter
House Resolution No. 521	-	Representative Copenhagen
House Resolution No. 522	-	Representative Skaggs
House Resolution No. 523	-	Representative Cierpiot
House Resolution No. 524	-	Representative Lowe
House Resolution No. 525	-	Representatives Lowe and Bland
House Resolution No. 526	-	Representative Purgason
House Resolution No. 527		
and		
House Resolution No. 528	-	Representative Boucher
House Resolution No. 529		
and		
House Resolution No. 530	-	Representative Ransdall
House Resolution No. 531	-	Representative Scheve

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 26** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2059** through **HB 2075** were read the second time.

## SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 48** was read the second time.

## SECOND READING OF SENATE BILLS

**SB 690**, **SCS SB 729**, **SB 812**, **SB 831**, **SCS SB 918** and **SB 1001** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1418** and **HB 1581**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 3**, relating to an annexation in Licking, was taken up by Representative Hampton.

On motion of Representative Hampton, **HCR 3** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61

Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Enz	Harlan	Lograsso	Nordwald	O'Connor
Surface				

VACANCIES: 004

Speaker Kreider declared the bill passed.

**HCR 15**, relating to pension protection, was taken up by Representative O'Toole.

Representative O'Toole offered **HS HCR 15**.

On motion of Representative O'Toole, **HS HCR 15** was adopted.

On motion of Representative O'Toole, **HS HCR 15** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe

Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Byrd	Enz	Harlan	Nordwald	O'Connor
Surface	Wilson 42			

VACANCIES: 004

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel assumed the Chair.

### THIRD READING OF HOUSE BILLS

**HCS HBs 1150, 1237 & 1327**, relating to a tax amnesty program, was taken up by Representative Bray.

On motion of Representative Bray, **HCS HBs 1150, 1237 & 1327** was read the third time and passed by the following vote:

AYES: 106

Abel	Barnitz	Barry 100	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Campbell
Carnahan	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Koller



Lawson	Legan	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Merideth	Miller	Naeger
O'Toole	Ostmann	Overschmidt	Portwood	Purgason
Quinn	Ransdall	Reid	Relford	Reynolds
Rizzo	Roark	Robirds	Scheve	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 044

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Boatright	Burton	Byrd	Champion
Cierpiot	Griesheimer	Hanaway	Hegeman	Henderson
Hendrickson	Hohulin	Hunter	Kelley 47	Kelly 144
King	Linton	Lograsso	Long	Luetkemeyer
Marble	May 149	Mayer	Moore	Murphy
Myers	Phillips	Rector	Reinhart	Richardson
Ridgeway	Ross	Schwab	Secrest	St. Onge
Townley	Vogel	Whorton	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Ballard	Enz	Gratz	Liese
Monaco	Nordwald	O'Connor	Surface	

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 094

Abel	Barnitz	Barry 100	Berkowitz	Bland
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Clayton	Copenhaver
Crawford	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkenhaus	Marsh	Mays 50
McKenna	Merideth	Monaco	O'Toole	Overschmidt
Purgason	Quinn	Ransdall	Reid	Relford
Rizzo	Robirds	Scheve	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 057

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crowell	Dolan	Fares	Griesheimer	Hanaway
Hegeman	Henderson	Hendrickson	Hunter	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Ostmann	Phillips	Portwood	Rector	Reinhart
Richardson	Ridgeway	Roark	Ross	Schwab
Scott	Secrest	St. Onge	Townley	Vogel
Whorton	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Bonner	Enz	Hohulin	Nordwald
O'Connor	Reynolds	Surface		

VACANCIES: 004

Speaker Kreider resumed Chair.

**HCS HB 1711**, relating to state school aid, was taken up by Representative Graham.

On motion of Representative Graham, **HCS HB 1711** was read the third time and passed by the following vote:

AYES: 132

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Long	Lowe	Luetkenhaus
Marsh	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Naeger	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs

Smith	St. Onge	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 022

Ballard	Bartle	Black	Boatright	Byrd
Hohulin	Hunter	Jetton	King	Linton
Lograsso	Luetkemeyer	Marble	May 149	Murphy
Myers	Reid	Ridgeway	Roark	Ross
Townley	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Enz	Nordwald	O'Connor	Surface
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VACANCIES: 004

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 134

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Holt	Hoppe
Hosmer	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Long	Lowe	Luetkemeyer
Luetkenhaus	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Rizzo
Robirds	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 019

Ballard	Bartle	Boatright	Byrd	Cierpiot
Hohulin	Hunter	Jetton	Linton	Lograsso
Marble	May 149	Murphy	Reid	Ridgeway
Roark	Ross	Townley	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Enz	Hollingsworth	Johnson 61	Nordwald	O'Connor
Surface				

VACANCIES: 004

**HCS HB 1398**, relating to World War II medals, was taken up by Representative Ward.

On motion of Representative Ward, **HCS HB 1398** was read the third time and passed by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Enz	Graham	Lograsso	Nordwald
O'Connor	Surface			

VACANCIES: 004

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Carnahan	Enz	Graham	Harlan
Lograsso	Nordwald	O'Connor	Surface	

VACANCIES: 004

Speaker Pro Tem Abel resumed Chair.

**HS HB 1498**, relating to sexual offenses, was taken up by Representative Johnson (90).

On motion of Representative Johnson (90), **HS HB 1498** was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Enz	Green 73	King	Lograsso
Nordwald	O'Connor	Surface	Wagner	

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed Chair.

**HB 1432**, relating to emergency communications system districts, was taken up by Representative Foley.

On motion of Representative Foley, **HB 1432** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secret
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Hendrickson	Hunter	Roark	St. Onge
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PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Berkstresser	Enz	Green 73	Harlan
Hosmer	Lograsso	Nordwald	O'Connor	Surface
Troupe	Wagner			

VACANCIES: 004

Speaker Kreider declared the bill passed.

**PERFECTION OF HOUSE BILL - INFORMAL**

**HCS HB 1202, as amended**, relating to sales/use tax: refund of taxes, was taken up by Representative Smith.

Representative Koller, having voted on the prevailing side, moved that the vote by which **House Amendment No. 2** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 083

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	O'Toole	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 004

Enz	Nordwald	O'Connor	Surface
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VACANCIES: 004



Representative Cooper moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Fares	Froelker	Gaskill	Gratz	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Myers	Naeger	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Selby	Shields	Shoemaker	St. Onge	Townley
Vogel	Wright			

NOES: 078

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Koller	Lawson	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 009

Enz	Hendrickson	Liese	Murphy	Nordwald
O'Connor	O'Toole	Surface	Ward	

VACANCIES: 004

Representative Shields requested a verification of the roll call on the adoption of **House Amendment No. 2**.

**HCS HB 1202, as amended,** was laid over.

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 50** - Budget

**HJR 52** - Transportation

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1349** - Labor

**HB 1608** - Judiciary

**HB 1609** - Sportsmanship, Safety and Firearms

**HB 1805** - Commerce and Economic Development

**HB 1854** - Labor

**HB 1888** - Banks and Financial Institutions

**HB 1901** - Education-Elementary and Secondary

**HB 1902** - Civil and Administrative law

**HB 1903** - Insurance

**HB 1904** - Criminal Law

**HB 1905** - Labor

**HB 1907** - Tourism, Recreation and Cultural Affairs

**HB 1908** - Motor Vehicle and Traffic Regulations

**HB 1909** - Motor Vehicle and Traffic Regulations

**HB 1913** - Local Government and Related Matters

**HB 1914** - Utilities Regulation

**HB 1915** - Fiscal Review and Government Reform

**HB 1917** - Civil and Administrative Law

**HB 1919** - Professional Registration and Licensing

**HB 1920** - Correctional and State Institutions

**HB 1921** - Critical Issues, Consumer Protection and Housing

**HB 1924** - Ways and Means

**HB 1925** - Children, Families and Health

**HB 1927** - Children, Families and Health

**HB 1928** - Tourism, Recreation and Cultural Affairs

**HB 1929** - Utilities Regulation

**HB 1931** - Municipal Corporations

**HB 1934** - Public Safety, Law Enforcement and Veteran Affairs

**HB 1937** - Professional Registration and Licensing

**HB 1940** - Education-Elementary and Secondary

**HB 1941** - Education-Elementary and Secondary

**HB 1943** - Criminal Law

**HB 1947** - Children, Families and Health

**HB 1948** - Criminal Law

**HB 1949** - Banks and Financial Institutions  
**HB 1950** - Banks and Financial Institutions  
**HB 1951** - Ways and Means  
**HB 1952** - Children, Families and Health  
**HB 1954** - Criminal Law  
**HB 1955** - Criminal Law  
**HB 1956** - Local Government and Related Matters  
**HB 1957** - Banks and Financial Institutions  
**HB 1958** - Agriculture  
**HB 1959** - Motor Vehicle and Traffic Regulations  
**HB 1961** - Commerce and Economic Development  
**HB 1963** - Education-Elementary and Secondary  
**HB 1964** - Municipal Corporations  
**HB 1965** - Commerce and Economic Development  
**HB 1966** - Ways and Means  
**HB 1967** - Agriculture  
**HB 1968** - Civil and Administrative Law  
**HB 1970** - Insurance  
**HB 1971** - Retirement  
**HB 1972** - Miscellaneous Bills & Resolutions  
**HB 1973** - Education-Elementary and Secondary  
**HB 1974** - Labor  
**HB 1975** - Children, Families and Health  
**HB 1976** - Critical Issues, Consumer Protection and Housing  
**HB 1977** - Criminal Law  
**HB 1979** - Fiscal Review and Government Reform  
**HB 1982** - Local Government and Related Matters  
**HB 1983** - Social Services, Medicaid and the Elderly  
**HB 1984** - Ways and Means  
**HB 1985** - Judiciary  
**HB 1986** - Education-Higher  
**HB 1987** - Children, Families and Health  
**HB 1989** - Retirement  
**HB 1991** - Education-Elementary and Secondary  
**HB 1992** - Education-Elementary and Secondary  
**HB 1993** - Education-Elementary and Secondary  
**HB 1999** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 2000** - Commerce and Economic Development  
**HB 2019** - Education-Higher

## COMMITTEE REPORTS

**Committee on Budget**, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1115**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1768**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Criminal Law**, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1722**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1392**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 1906**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1712**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1814**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1895**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1679**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1877**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Social Services, Medicaid and the Elderly**, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1479**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1141**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1270**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1400**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1745**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1477**, **HB 1668**, **HB 1446**, **HB 1078**, **HB 1468**, **HB 1086**, **HB 1406** and **HB 1402 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 27**, introduced by Representative Reynolds, to urge the United States Congress to enact legislation to address the issue of price controls for prescription drugs sold in the United States.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 56**, introduced by Representatives Holand and Hollingsworth, relating to organizational sessions of the general assembly.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2076**, introduced by Representative Bartle, relating to location of certain businesses near state highways.

**HB 2077**, introduced by Representative Hanaway, relating to the higher education savings program.

**HB 2078**, introduced by Representative Clayton, for the purpose of repealing expired provisions of law and sections made obsolete by expired provisions of law.

**HB 2079**, introduced by Representative McKenna, relating to lodging establishments.

**HB 2080**, introduced by Representatives Britt, Richardson and Merideth, relating to retirement benefits for prosecutors.

**HB 2081**, introduced by Representatives Shoemaker (8), Monaco, Byrd, Johnson (90), Daus and Ridgeway, et al, relating to tampering with a judicial officer.

**HB 2082**, introduced by Representatives Berkowitz, Britt, Richardson and Crowell, relating to the Missouri certificate of need law.

**HB 2083**, introduced by Representatives Boucher, Moore, Rizzo, Hilgemann and Kelly (36), et al, relating to funding for the utilicare stabilization fund.

**HB 2084**, introduced by Representatives Kelley (47), Ballard, Phillips, Ladd Baker and Linton, et al, relating to the authority of the lottery commission to authorize new games.

**HB 2085**, introduced by Representatives Richardson and Monaco, relating to governance of business organizations.

**HB 2086**, introduced by Representatives Sanders Brooks, Curls, Lowe, Van Zandt, Jolly, Wilson (42), Walton and Haywood, et al, relating to sanitation in food establishments.

**HB 2087**, introduced by Representatives Whorton, Daus and Lawson, relating to performance contracting for energy efficiency projects.

**HB 2088**, introduced by Representative Crowell, relating to sexual offenses.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HBs 1037, 1188, 1074 & 1271** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Klarich, Singleton, Schneider, Caskey and Klindt.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 744**, entitled:

An act to repeal section 60.010, RSMo, relating to county surveyors and land surveys, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 775**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to the establishment of the American military veterans bridge.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 989**, entitled:

An act to repeal section 137.082, RSMo, relating to the ad valorem property tax on new construction, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

### **APPOINTMENT OF CONFEREES**

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**SCS HS HCS HBs 1037, 1188, 1074 & 1271:** Representatives Hosmer, Monaco, Clayton, Crowell and Richardson.

The following member's presence was noted: Nordwald.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, March 4, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Twenty-ninth Day, Wednesday, February 27, 2002, pages 391 and 392, roll call, by showing Representatives Graham, Hosmer, Kelly (27), Mayer and Murphy voting "aye" rather than "absent with leave".

Pages 392 and 393, roll call, by showing Representatives Graham, Hanaway, Hosmer, Mayer, Murphy and Reynolds voting "aye" rather than "absent with leave".

Pages 393 and 394, roll call, by showing Representatives Graham, Hanaway, Hosmer, Mayer, Murphy and Wright voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Monday, March 4, 2002, 12:00 p.m. Hearing Room 7.

Mark-up.

To be considered - HB 1108, HB 1109

#### **APPROPRIATIONS - EDUCATION**

Tuesday, March 5, 2002. Hearing Room 1 upon adjournment.

Possible Executive Session. Continuation of mark-up.

To be considered - HB 1102, HB 1103

#### **APPROPRIATIONS - EDUCATION**

Wednesday, March 6, 2002. Hearing Room 1 upon adjournment.

Possible Executive Session. Continuation of mark-up.

To be considered - HB 1102, HB 1103

#### **APPROPRIATIONS - SOCIAL SERVICES**

Monday, March 4, 2002, 11:00 a.m. Hearing Room 3.

Department of Social Services.

#### **BUDGET**

Monday, March 4, 2002. Hearing Room 3 upon evening adjournment.

If HB 1110 is finished during meeting, one of the following will be heard next.

To be considered - HB 1101, HB 1104, HB 1105, HB 1106, HB 1107

#### **CIVIL AND ADMINISTRATIVE LAW**

Wednesday, March 6, 2002, 3:00 p.m. Hearing Room 1.

To be considered - HB 1465, HB 1471, HB 1693, HB 1747, Executive Session - HB 1802



**CORRECTIONAL & STATE INSTITUTIONS**

Tuesday, March 5, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1593, HB 1861

**CRIMINAL LAW**

Wednesday, March 6, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1394, HB 1542, HB 1607, HB 1737, HB 1836

**EDUCATION - ELEMENTARY AND SECONDARY**

Tuesday, March 5, 2002, 3:00 p.m. Hearing Room 7. AMENDED.

To be considered - HB 1096, HB 1218, HB 1809, HB 1916, HB 2024

**ELECTIONS**

Tuesday, March 5, 2002, 8:30 a.m. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1169, HB 1663, HB 1840

**ETHICS**

Tuesday, March 5, 2002. Side gallery upon morning adjournment.

Addition Democrat Majority Caucus.

Clay-Platte County Caucus.

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, March 7, 2002. Hearing Room 6 upon adjournment.

20CSR 500-6.700

Department of Insurance, Property & Casualty, Workers' Compensation and Employer's Liability.

**JOINT COMMITTEE ON CORRECTIONS**

Monday, March 4, 2002, 1:30 p.m. Senate Committee Room 1.

Discuss Missouri Vocational Enterprises. Other business.

**JUDICIARY**

Tuesday, March 5, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1659, HB 1697, HB 1698, HB 1715, HB 1766, Executive Session - HB 1578,

Executive Session - HB 1656

**LABOR**

Tuesday, March 5, 2002, 8:00 p.m. Hearing Room 3.

To be considered - HB 1450, Executive Session - HB 1091, Executive Session - HB 1092,

Executive Session - HB 1318, Executive Session - HB 1427, Executive Session - HB 1932

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 5, 2002. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1776, HB 1782, HB 1819, HB 1839, HB 1846, HB 1882, HB 1935, HB 2046

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 5, 2002, 3:00 p.m. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1504, HB 1755, HB 1852, HB 1862

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 5, 2002, 9:00 a.m. Hearing Room 2.

Executive Session on the following bills.

To be considered - HB 1032, HB 1090, HB 1255, HB 1313, HB 1409, HB 1505, HB 1600, HB 1643, HB 1689, HB 1869

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, March 5, 2002, 8:30 a.m. Hearing Room 6.

Executive Session will follow.

To be considered - HB 1816

SUBCOMMITTEE ON BUDGET

Tuesday, March 5, 2002, 7:30 p.m. Hearing Room 5.

Testimony.

To be considered - HB 1114

SUBCOMMITTEE ON BUDGET

Wednesday, March 6, 2002, 7:30 p.m. Hearing Room 3.

Testimony.

To be considered - HB 1114

SUBCOMMITTEE ON ENVIRONMENT AND ENERGY

Monday, March 4, 2002, 2:30 p.m. Hearing Room 4.

House Bill 1750

MTBE phase in.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, March 4, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1041, HB 1233, HB 1692, HB 1751, HB 1820, HCR 20

URBAN AFFAIRS

Tuesday, March 5, 2002. Side gallery upon adjournment.

Executive Session. AMENDED.

To be considered - HB 1509, HB 1510, HB 1851

**WAYS AND MEANS**

Tuesday, March 5, 2002. Hearing Room 2 upon morning adjournment.

Possible Executive Session prior to hearing.

To be considered - HB 1206, HB 1385, HB 1727, HB 1761, HB 1883, HB 1890, HJR 49

**HOUSE CALENDAR**

THIRTY-FIRST DAY, MONDAY, MARCH 4, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 27

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 56

**HOUSE BILLS FOR SECOND READING**

HB 2076 through HB 2088

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1461 & 1470 - Seigfreid
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1403 - St. Onge
- 4 HCS HB 1817 - Franklin
- 5 HB 1592 - Hickey
- 6 HCS HB 1532 - Hoppe
- 7 HCS HB 1344 & 1944 - Crump
- 8 HCS HB 1906 - Green (73)
- 9 HCS HB 1877 - Foley
- 10 HB 1679 - Crump
- 11 HCS HB 1392 - Davis
- 12 HCS HB 1479 - Ladd Baker

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1202, as amended - Smith

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2-26-02)

- 1     HB 1159 - Boykins
- 2     HB 1214 - Davis
- 3     HB 1624 - Skaggs
- 4     HB 1204 - Seigfreid
- 5     HB 1093 - Relford
- 6     HB 1714 - Hilgemann
- 7     HB 1205 - Seigfreid
- 8     HB 1411 - Skaggs
- 9     HB 1094 - Relford
- 10    HB 1397 - Ransdall
- 11    HB 1391 - Smith
- 12    HB 1272 - Smith
- 13    HB 1918 - Koller
- 14    HB 1242 - Griesheimer
- 15    HB 1075 - Nordwald
- 16    HB 1320 - Reid
- 17    HB 1515 - Burton

(3-4-02)

- 1     HB 1569 - Davis
- 2     HB 1795 - Berkowitz
- 3     HB 1849 - Barnitz
- 4     HB 1745 - Koller
- 5     HB 1400 - Merideth
- 6     HB 1141 - Naeger
- 7     HB 1270 - Gratz
- 8     HB 1822 - Walton
- 9     HB 1783 - Lowe
- 10    HB 1768 - Hosmer
- 11    HB 1814 - Monaco
- 12    HB 1712 - Monaco
- 13    HB 1895 - Monaco
- 14    HB 1722 - Hosmer
- 15    HB 1779 - Green (73)
- 16    HB 1788 - Ross
- 17    HB 1778 - Monaco
- 18    HB 1789 - Ross
- 19    HB 1314 - Mays (50)
- 20    HB 1632 - O'Connor

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1672 - Gambaro
- 3 HCS HB 1765, E.C. - Bray
- 4 HB 1581 - Clayton
- 5 HB 1418 - Barnitz

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1477 - Farnen
- 2 HB 1668 - Holt
- 3 HB 1446 - Luetkenhaus
- 4 HB 1078 - Whorton
- 5 HB 1468 - Ward
- 6 HB 1086 - Harlan
- 7 HB 1406 - Barnett
- 8 HB 1402 - Burton

**SENATE BILLS FOR SECOND READING**

- 1 SB 744
- 2 SB 775
- 3 SB 989

**BILLS IN CONFERENCE**

- 1 HCS SS#2 SB 650, E.C. - Monaco
- 2 SCS HS HCS HB 1037, 1188, 1074 & 1271, E.C. - Hosmer

**HOUSE RESOLUTION**

HR 150, (2-21-02, page 344) - Vogel

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTY-FIRST DAY, MONDAY, MARCH 4, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Lord, after a weekend of cold and snow, we ask for Your warmth and sunlight this week. Give these men and women wise political substance, and underneath that, tough spiritual muscle. Through the give and take of this Chamber, through the hearings and the caucuses, the state's business is done.

That commerce, Lord, is not only for material success, but also for the dynamism of the spirit which makes life really precious. We accept the challenges these five days will bring. Let the week begin with You, God, and end even closer to You. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyle Banderma, Kraig Turner, Laci Roberts, Sarah Davenport, Eden Perez and Ryan Scherr.

The Journal of the thirtieth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 532 - Representative Riback Wilson (25)  
House Resolution No. 533 - Representative Crawford  
House Resolution No. 534 - Representative Burcham  
House Resolution No. 535 - Representative Holand  
House Resolution No. 536 - Representative Hunter  
House Resolution No. 537  
through  
House Resolution No. 544 - Representative Phillips  
House Resolution No. 545 - Representative Lawson  
House Resolution No. 546  
and  
House Resolution No. 547 - Representative Abel

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 27** was read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 56** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2076** through **HB 2088** were read the second time.

## SECOND READING OF SENATE BILLS

**SB 744**, **SB 775** and **SB 989** were read the second time.

## THIRD READING OF HOUSE BILLS - CONSENT

**HB 1477**, relating to the Missouri Health and Educational Facilities Act, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 1477** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartle	Berkstresser	Boatright	Clayton	Gaskill
Green 15	Kelly 36	Lograsso	Ostmann	Reinhart
Secrest	St. Onge	Surface		

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1668**, relating to Emergency Personnel Appreciation Day, was taken up by Representative Holt.

On motion of Representative Holt, **HB 1668** was read the third time and passed by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				



NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 012

Bartelsmeyer	Berkstresser	Clayton	Franklin	Graham
Kelly 36	Lograsso	Ostmann	Reinhart	Secrest
St. Onge	Surface			

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1446**, relating to insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HB 1446** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 011

Bartelsmeyer	Berkstresser	Clayton	Harlan	Kelly 36
Lograsso	Ostmann	Reinhart	Secrest	St. Onge
Surface				

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1078**, relating to regional jail district tax, was taken up by Representative Whorton.

On motion of Representative Whorton, **HB 1078** was read the third time and passed by the following vote:

AYES: 106

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Copenhaver
Crawford	Crump	Curls	Daus	Davis
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
King	Koller	Lawson	Legan	Liese
Lowe	Luetkenhaus	May 149	Mayer	Mays 50
McKenna	Merideth	Monaco	Moore	Nordwald
O'Connor	O'Toole	Overschmidt	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Rizzo
Robirds	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Skaggs
Smith	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 041

Bartle	Bearden	Behnen	Berkstresser	Boatright
Byrd	Champion	Cierpiot	Cooper	Crowell
Cunningham	Dempsey	Dolan	Enz	Gaskill
Hanaway	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelley 47	Kelly 144	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	Miller

Murphy  
Purgason  
Wright

Myers  
Quinn

Naeger  
Ridgeway

Phillips  
Roark

Portwood  
Ross

PRESENT: 000

ABSENT WITH LEAVE: 012

Bartelsmeyer  
Ostmann  
Surface

Bray 84  
Reinhart  
Wagner

Clayton  
Secrest

Holand  
Shoemyer

Kelly 36  
St. Onge

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 961**, entitled:

An act to repeal sections 86.370, 86.398, 86.447, 86.600, 86.671 and 86.745, RSMo, and to enact in lieu thereof eight new sections relating to police retirement systems.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1017**, entitled:

An act to repeal section 67.1003, RSMo, relating to transient guest tax, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1041**, entitled:

An act to authorize the conveyance of property owned by the department of natural resources to private ownership.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **CCR HCS SS#2 SB 650** and has taken up and passed **CCS HCS SS#2 SB 650**.

Emergency clause adopted.

**CONFERENCE COMMITTEE REPORT  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE #2  
FOR  
SENATE BILL NO. 650**

The Conference Committee appointed on House Committee Substitute for Senate Substitute #2 for Senate Bill No. 650 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute #2 for Senate Bill No. 650;
2. That the Senate recede from its position on Senate Substitute #2 for Senate Bill No. 650;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute #2 for Senate Bill No. 650 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Sen. Marvin Singleton  
/s/ Sen. David Klarich  
/s/ Sen. David Klindt  
/s/ Sen. Ted House  
/s/ Sen. Harold Caskey

**FOR THE HOUSE:**

/s/ Rep. Ralph Monaco  
/s/ Rep. Craig Hosmer  
/s/ Rep. Robert Clayton  
/s/ Rep. Jason Crowell  
/s/ Rep. Mark Richardson

**CONFERENCE COMMITTEE REPORT  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NOS. 1037, 1188, 1074 & 1271**

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1037, 1188, 1074 & 1271 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1037, 1188, 1074 & 1271;

2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill Nos. 1037, 1188, 1074 & 1271;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1037, 1188, 1074 & 1271 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Sen. Marvin Singleton  
/s/ Sen. David Klarich  
/s/ Sen. David Klindt  
/s/ Sen. Harold Caskey

**FOR THE HOUSE:**

/s/ Rep. Ralph Monaco  
/s/ Rep. Craig Hosmer  
/s/ Rep. Robert Clayton  
/s/ Rep. Jason Crowell  
/s/ Rep. Mark Richardson

**BILLS IN CONFERENCE**

Representative Hosmer moved that Rule 60 (c) be suspended in order for the House to take up **CCR SCS HS HCS HBs 1037, 1188, 1074 & 1271.**

Which motion was adopted by the following vote:

AYES: 097

Abel	Barnett	Barnitz	Barry 100	Berkowitz
Berkstresser	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Copenhaver
Crowell	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Hollingsworth	Holt	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	King
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkenhaus	Marsh	Mays 50	McKenna
Merideth	Miller	Monaco	O'Toole	Overschmidt
Purgason	Ransdall	Reid	Relford	Reynolds
Robirds	Scheve	Seigfreid	Selby	Shelton
Shields	Shoemaker	Skaggs	Smith	Thompson
Treadway	Van Zandt	Villa	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 039

Ballard	Bartle	Bearden	Behnen	Cierpiot
Cooper	Crawford	Cunningham	Dempsey	Dolan
Enz	Fares	Henderson	Hendrickson	Hohulin
Holand	Hunter	Kelley 47	Linton	Lograsso
Luetkemeyer	Marble	May 149	Mayer	Moore

Murphy	Myers	Naeger	Phillips	Portwood
Quinn	Rector	Ridgeway	Roark	Ross
Schwab	Scott	Townley	Vogel	

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Bartelsmeyer	Black	Bland	Boatright
Clayton	Froelker	Gaskill	Gratz	Hoppe
Kelly 36	Nordwald	O'Connor	Ostmann	Reinhart
Richardson	Rizzo	Secrest	Shoemyer	St. Onge
Surface	Troupe	Wagner		

VACANCIES: 004

Representative Foley requested a verification of the roll call on the suspension of Rule 60 (c).

**CCR SCS HS HCS HBs 1037, 1188, 1074 & 1271**, relating to statute of limitations, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **CCR SCS HS HCS HBs 1037, 1188, 1074 & 1271** was adopted by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Franklin	Fraser	Froelker	Gambaro	George
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Skaggs	Smith	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Bartelsmeyer	Bland	Clayton	Foley
Gaskill	Gratz	Hickey	Hoppe	Kelly 36
Luetkenhaus	Nordwald	O'Connor	Ostmann	Reinhart
Secrest	Shoemyer	St. Onge	Surface	

VACANCIES: 004

Representative Naeger requested a verification of the roll call on the adoption of **CCR SCS HS HCS HBs 1037, 1188, 1074 & 1271**.

Representative Lograsso raised a point of order that all the names were not called on the verification of the roll call pursuant to Article III, Section 26 of the Constitution.

The Chair ruled the point of order not well taken.

On motion of Representative Hosmer, **CCS SCS HS HCS HBs 1037, 1188, 1074 & 1271** was read the third time and passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Skaggs
Smith	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Clayton	Johnson 61	Kelly 36
Ostmann	Reinhart	Secrest	Shoemyer	St. Onge
Surface	Wagner			

VACANCIES: 004

The emergency clause was adopted by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Skaggs	Smith	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Boykins	Clayton	Cunningham
Haywood	Kelly 36	Lograsso	Ostmann	Reinhart
Secrest	Shoemyer	St. Onge	Surface	

VACANCIES: 004



Representative Monaco moved that Rule 60 (c) be suspended in order for the House to take up **CCR HCS SS #2 SB 650**.

Which motion was adopted by the following vote:

AYES: 116

Abel	Barnett	Barnitz	Barry 100	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 27	King
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkenhaus	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Overschmidt	Purgason	Ransdall	Reid	Relford
Reynolds	Richardson	Rizzo	Robirds	Scheve
Seigfreid	Selby	Shelton	Shields	Skaggs
Smith	Thompson	Treadway	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 029

Ballard	Bartle	Bearden	Behnen	Cierpiot
Cooper	Dempsey	Enz	Froelker	Henderson
Hendrickson	Hohulin	Hunter	Kelley 47	Linton
Lograsso	Luetkemeyer	Marble	Mayer	Phillips
Portwood	Quinn	Rector	Ridgeway	Roark
Ross	Schwab	Shoemaker	Townley	

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Clayton	Kelly 144	Kelly 36
O'Connor	Ostmann	Reinhart	Scott	Secrest
Shoemyer	St. Onge	Surface	Troupe	

VACANCIES: 004

**CCR HCS SS #2 SB 650**, relating to statute of limitations, was taken up by Representative Monaco.

On motion of Representative Monaco, **CCR HCS SS #2 SB 650** was adopted by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Skaggs	Smith	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Bartelsmeyer	Clayton	Kelly 36	Ostmann
Reinhart	Secrest	Shoemyer	St. Onge	Surface

VACANCIES: 004

On motion of Representative Monaco, **CCS HCS SS #2 SB 650** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen

Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Skaggs	Smith	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Boykins	Clayton	Froelker
Hosmer	Kelly 36	Ostmann	Reinhart	Secrest
Shoemyer	St. Onge	Surface		

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	King	Koller	Lawson

Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Skaggs	Smith
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Boykins	Clayton	Hosmer
Kelly 36	Ostmann	Reinhart	Secrest	Shoemyer
St. Onge	Surface			

VACANCIES: 004

## PERFECTION OF HOUSE BILL

**HCS HBs 1461 & 1470**, relating to elections, was taken up by Representative Seigfreid.

Representative Seigfreid offered **HS HCS HBs 1461 & 1470**.

Representative Long raised a point of order that **HS HCS HBs 1461 & 1470** is not a true substitute.

The Chair ruled the point of order not well taken.

Representative Seigfreid offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.081, Page 12, Line 18, by inserting “**major**” before “**political**”; and

Further amend said section, Page 12, Line 20, by inserting “**major**” before “**political**”; and

Further amend said House Substitute, Section 115.433, Page 65, Line 21, by inserting “**major**” before “**political**”; and

Further amend said section, Page 65, Line 22, by inserting “**major**” after “**a**” and before “**political**”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Seigfreid, **House Amendment No. 1** was adopted.

Representative Seigfreid offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.123, Pages 19-20, by deleting all of said section; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Seigfreid, **House Amendment No. 2** was adopted.

Representative Carnahan offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.453, Pages 66-69, by deleting all of said section; and

Further amend the title enacting clause and intersectional references accordingly.

Representative Hanaway offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.453, Page 67, by deleting the brackets beginning on Line 11 and ending on Line 13, and inserting thereafter the following language:

**“The intent of the voter shall be construed according to regulations promulgated by the Secretary of State.”.**

**HCS HBs 1461 & 1470, with House Substitute Amendment No. 1 for House Amendment No. 3, House Amendment No. 3 and HS, as amended, pending, was laid over.**

Speaker Kreider assumed the Chair.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HBs 1037, 1188, 1074 & 1271**, and has taken up and passed **CCS SCS HS HCS HBs 1037, 1188, 1074 & 1271**.

Emergency clause adopted.

## **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS SCS HS HCS HBs 1037, 1188, 1074 & 1271**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

## **LETTER OF OBJECTION**

March 4, 2002

Representative Don Lograsso of the 54<sup>th</sup> District hereby files a constitutional objection to Conference Committee Report for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1037, 1188, 1074 and 1271 for the following reason:

On this date upon proper request for verification of the roll, in violation of Article III, Section 26 of the Missouri Constitution, the names of each member of the House was **not** called.

I respectfully request that this objection be forwarded to the Governor, as required, when the bill is sent to him.

Respectfully,

/s/ Representative Don Lograsso

## **SIGNING OF HOUSE BILL**

All other business of the House was suspended while **CCS SCS HS HCS HBs 1037, 1188, 1074 & 1271** was read at length and was signed by the Speaker to the end that the same may become law.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1868** - Motor Vehicle and Traffic Regulations  
**HB 2008** - Motor Vehicle and Traffic Regulations  
**HB 2009** - Motor Vehicle and Traffic Regulations  
**HB 2018** - Education-Elementary and Secondary  
**HB 2045** - Banks and Financial Institutions  
**HB 2054** - Local Government and Related Matters  
**HB 2064** - Municipal Corporations  
**HB 2085** - Judiciary

## COMMITTEE REPORTS

**Committee on Insurance**, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1473**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1518**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1568**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Municipal Corporations**, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1194**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2089**, introduced by Representative Troupe, relating to the determination of medical necessity.

**HB 2090**, introduced by Representatives Bearden and Holt, relating to professional registration.

**HB 2091**, introduced by Representative Richardson, relating to cafeteria plans for state employees.

**HB 2092**, introduced by Representatives Reynolds and Froelker, relating to academic credits for certain language courses offered in public schools.

**HB 2093**, introduced by Representative Reynolds, relating to the deaf and hard of hearing.

**HB 2094**, introduced by Representatives Reynolds and Froelker, relating to the deaf and hard of hearing.

## ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, March 5, 2002.

## CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirtieth Day, Thursday, February 28, 2002, pages 407 and 408, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 409 and 410, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Page 414, roll call, by showing Representative King voting "aye" rather than "absent with leave".

Page 415, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 417, roll call, by showing Representative Murphy voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Tuesday, March 5, 2002. Hearing Room 4 upon adjournment. AMENDED.  
Mark-up.

To be considered - HB 1108, HB 1109

#### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Tuesday, March 5, 2002, 8:00 a.m. Hearing Room 3.

To be considered - HB 1106, HB 1107, HB 1110

#### **APPROPRIATIONS - EDUCATION**

Tuesday, March 5, 2002. Hearing Room 1 upon adjournment.

Possible Executive Session. Continuation of mark-up.

To be considered - HB 1102, HB 1103

#### **APPROPRIATIONS - EDUCATION**

Wednesday, March 6, 2002. Hearing Room 1 upon adjournment.

Possible Executive Session. Continuation of mark-up.

To be considered - HB 1102, HB 1103

#### **APPROPRIATIONS - SOCIAL SERVICES**

Tuesday, March 5, 2002, 5:30 p.m. Hearing Room 3.

Department of Social Services

#### **BUDGET**

Tuesday, March 5, 2002. Hearing Room 3 upon morning adjournment.

To be considered - HB 1106, HB 1107, HB 1110

#### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, March 5, 2002, 3:00 p.m. House Lounge. AMENDED.

To be considered - HB 1718, HB 1812, HB 1945



CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 6, 2002, 3:00 p.m. Hearing Room 1. AMENDED.

To be considered - HB 1465, HB 1471, HB 1693, HB 1747, HB 1917, HB 1968

Executive Session - HB 1802

COMMERCE AND ECONOMIC DEVELOPMENT

Tuesday, March 5, 2002. Hearing Room 6 upon adjournment.

Executive Session may follow.

To be considered - HB 1886, HJR 48

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, March 5, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1593, HB 1861

CRIMINAL LAW

Wednesday, March 6, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1394, HB 1542, HB 1607, HB 1737, HB 1836

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 5, 2002, 3:00 p.m. Hearing Room 7. AMENDED.

To be considered - HB 1096, HB 1218, HB 1809, HB 1916, HB 2024

ELECTIONS

Tuesday, March 5, 2002, 8:30 a.m. Hearing Room 4.

Executive Session may follow.

To be considered - HB 1169, HB 1663, HB 1840

ETHICS

Tuesday, March 5, 2002. Side gallery upon morning adjournment.

Addition Democrat Majority Caucus. Clay-Platte County Caucus.

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, March 6, 2002, 8:30 a.m. Hearing Room 4.

Fiscal Review HCS HB 472

To be considered - HB 1897, HB 1915, Executive Session - HB 1306, Executive Session - HB 1855

INSURANCE

Tuesday, March 5, 2002, 3:00 p.m. Hearing Room 6.

To be considered - HB 1731, HB 1741, Executive Session - HB 1396, Executive Session - HB 1502

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 7, 2002. Hearing Room 6 upon adjournment.

20CSR 500-6.700

Department of Insurance, Property & Casualty, Workers' Compensation and Employer's Liability.

#### JUDICIARY

Tuesday, March 5, 2002, 3:00 p.m. Hearing Room 5.

To be considered - HB 1659, HB 1697, HB 1698, HB 1715, HB 1766

Executive Session - HB 1578, Executive Session - HB 1656

#### LABOR

Tuesday, March 5, 2002, 8:00 p.m. Hearing Room 1. AMENDED.

To be considered - HB 1450

#### LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 5, 2002. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1776, HB 1782, HB 1819, HB 1839, HB 1846, HB 1882, HB 1935, HB 2046

#### MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 6, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1813, HB 1850, HJR 24, HJR 33, HJR 40, HJR 51, HR 361

#### MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 5, 2002, 3:00 p.m. Hearing Room 1.

Executive Session may follow.

To be considered - HB 1504, HB 1755, HB 1852, HB 1862

#### MUNICIPAL CORPORATIONS

Wednesday, March 6, 2002, 3:00 p.m. Hearing Room 4.

To be considered - HB 1708, HB 1811

#### PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, March 5, 2002, 9:00 a.m. Hearing Room 2.

Executive Session on the following bills.

To be considered - HB 1032, HB 1090, HB 1255, HB 1313, HB 1409, HB 1505, HB 1600, HB 1643, HB 1689, HB 1869

#### PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, March 5, 2002, 8:30 a.m. Hearing Room 6.

Executive Session will follow.

To be considered - HB 1816

#### SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 5, 2002. Side gallery upon morning adjournment.

Executive Session.

#### SUBCOMMITTEE ON BUDGET

Tuesday, March 5, 2002, 7:30 p.m. Hearing Room 5.

Testimony. To be considered - HB 1114

**SUBCOMMITTEE ON BUDGET**

Wednesday, March 6, 2002, 7:30 p.m. Hearing Room 3.

Testimony.

To be considered - HB 1114

**URBAN AFFAIRS**

Tuesday, March 5, 2002. Side gallery upon adjournment.

Executive Session. AMENDED.

To be considered - HB 1509, HB 1510, HB 1851

**UTILITIES REGULATION**

Wednesday, March 6, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1875, HB 1914, HB 1929

**WAYS AND MEANS**

Tuesday, March 5, 2002. Hearing Room 5 upon morning adjournment.

Possible Executive Session prior to hearing. CORRECTED.

To be considered - HB 1206, HB 1385, HB 1727, HB 1761, HB 1883, HB 1890, HJR 49

**HOUSE CALENDAR**

THIRTY-SECOND DAY, TUESDAY, MARCH 5, 2002

**HOUSE BILLS FOR SECOND READING**

HB 2089 through HB 2094

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1461 & 1470, with HSA 1 for HA 3, HA 3 and HS, as amended, pending - Seigfreid
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1403 - St. Onge
- 4 HCS HB 1817 - Franklin
- 5 HB 1592 - Hickey
- 6 HCS HB 1532 - Hoppe
- 7 HCS HB 1344 & 1944 - Crump
- 8 HCS HB 1906 - Green (73)
- 9 HCS HB 1877 - Foley
- 10 HB 1679 - Crump
- 11 HCS HB 1392 - Davis
- 12 HCS HB 1479 - Ladd Baker

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1202, as amended - Smith

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2-26-02)

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford
- 6 HB 1714 - Hilgemann
- 7 HB 1205 - Seigfreid
- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith
- 13 HB 1918 - Koller
- 14 HB 1242 - Griesheimer
- 15 HB 1075 - Nordwald
- 16 HB 1320 - Reid
- 17 HB 1515 - Burton

(3-4-02)

- 1 HB 1569 - Davis
- 2 HB 1795 - Berkowitz
- 3 HB 1849 - Barnitz
- 4 HB 1745 - Koller
- 5 HB 1400 - Merideth
- 6 HB 1141 - Naeger
- 7 HB 1270 - Gratz
- 8 HB 1822 - Walton
- 9 HB 1783 - Lowe
- 10 HB 1768 - Hosmer
- 11 HB 1814 - Monaco
- 12 HB 1712 - Monaco
- 13 HB 1895 - Monaco
- 14 HB 1722 - Hosmer
- 15 HB 1779 - Green (73)
- 16 HB 1788 - Ross
- 17 HB 1778 - Monaco

- 18     HB 1789 - Ross
- 19     HB 1314 - Mays (50)
- 20     HB 1632 - O'Connor

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1     HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2     HB 1672 - Gambaro
- 3     HCS HB 1765, E.C. - Bray
- 4     HB 1581 - Clayton
- 5     HB 1418 - Barnitz

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1     HB 1468 - Ward
- 2     HB 1086 - Harlan
- 3     HB 1406 - Barnett
- 4     HB 1402 - Burton

#### **SENATE BILLS FOR SECOND READING**

- 1     SB 961
- 2     SB 1017
- 3     SB 1041

#### **HOUSE RESOLUTION**

HR 150, (2-21-02, page 344) - Vogel

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTY-SECOND DAY, TUESDAY, MARCH 5, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Walter Simpson, Retired from First Christian Church, Eldon, Missouri.

“Jehovah,” “Adonai,” “Allah”, it makes no difference what we name You. You are still the God of the universe and indeed the God of all people. It is not You, but us, who have put our own opinions and judgments of who You are that has divided us from one another. Forgive us of the audacity and the presumptuousness on our part. Bring our world back together in peace and harmonious relationships.

For those who have given a measure of their days to provide us with the freedom and liberty we enjoy, we give You our constant gratitude. Upon the men and women who are willing today to stand in our stead on the fields of battle, we ask Your divine protection.

In this extremely painful and excessively possessive world in which we live, help us to discard our own agendas and factional designs, that we might work collectively for a more tranquil and untroubled existence. Replace self-centeredness with compassion, narcissism with charity and vanity with wisdom. Teach us to negotiate in good faith for the common good.

Upon this auspicious body let Your encouraging and energizing Spirit stimulate a desire to seek the Good according to Your design for all Your children. Call them to task when they blunder. Smile on them when they succeed. Love when they are unlovable and embrace them when they are willing to venture into areas unpopular, yet essential for the pursuit of happiness of **all** the residents of our state.

“Jehovah” “Adonai,” “Allah,” One God, let Your favor be upon us, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Henson, James Kelley, Erin Pierce, Wes Mott, Alora Marble, Blake Henry, Rebecca Hopkins, Michael Hopkins, Victoria Grace Kelley, Kristen Kelley, David Housewright, Alica Tape, Brett Johnson, Katie Krick, Cara Stuckel, Alex Stuckel, Jamie Kuhn, Claire Stuckel, Adrienne Tucker, Kim Martin, Drew Jones, Joey Ridenhour, Jacob Randolph, Carol Schaffer, Sarah Heithaus, Tony Mocciola, Alexandra Carter and Rena Cook.

The Journal of the thirty-first day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 548 - Representative Enz  
 House Resolution No. 549 - Representative Troupe  
 House Resolution No. 550 - Representative Walton  
 House Resolution No. 551 - Representative Koller  
 House Resolution No. 552 - Representative Overschmidt  
 House Resolution No. 553 - Representative Froelker  
 House Resolution No. 554 - Representative Townley  
 House Resolution No. 555  
 and  
 House Resolution No. 556 - Representative Relford

## SECOND READING OF HOUSE BILLS

**HB 2089** through **HB 2094** were read the second time.

## SECOND READING OF SENATE BILLS

**SB 961**, **SB 1017** and **SB 1041** were read the second time.

## THIRD READING OF HOUSE BILLS - CONSENT

**HB 1468**, relating to commercial insurance, was taken up by Representative Ward.

On motion of Representative Ward, **HB 1468** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers

Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 005

Byrd	Cunningham	Hohulin	Kelly 27	Reid
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PRESENT: 000

ABSENT WITH LEAVE: 004

Gratz	Kelly 36	Reinhart	Secrest
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VACANCIES: 004

Speaker Kreider declared the bill passed.

**HB 1086**, relating to higher education savings program, was taken up by Representative Harlan.

On motion of Representative Harlan, **HB 1086** was read the third time and passed by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall



Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 003

Gratz	Reinhart	Secrest
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VACANCIES: 004

Speaker Kreider declared the bill passed.

### PERFECTION OF HOUSE BILL

**HCS HBs 1461 & 1470, with House Substitute Amendment No. 1 for House Amendment No. 3, House Amendment No. 3 and HS, as amended, pending,** relating to elections, was taken up by Representative Seigfreid.

**House Substitute Amendment No. 1 for House Amendment No. 3** was withdrawn.

Representative Hanaway offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.453, Page 67, by deleting the opening bracket (I) on Line 11 and deleting the closing bracket (I) on Line 13; and

Further amend said section, Page 67, Line 13, by inserting the following after "**clear.**":

**"Regulations promulgated by the secretary of state shall be used by the judges to determine voter intent.";**  
and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Scheve offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.420, Page 65, Line 6, by inserting a period (.) at the end of said line; and

Further amend said section, Lines 7-9, by deleting all of said lines; and

Further amend said section, Lines 14-19, by deleting all of said line; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Scheve, **House Amendment No. 4** was adopted.

Representative Farnen offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Sections 115.074 and 115.076, Pages 9-11, by deleting all of said sections and inserting in lieu thereof the following:

**“115.076. 1. Subject to appropriation of federal funds, the secretary of state shall administer a grant program annually for the purposes of providing funds to election authorities:**

**(1) To make polling places, including paths of travel, entrances, exits and voting areas of each polling facility accessible to individuals with disabilities, including the blind and visually impaired, in a manner that provides the same opportunity for access and secret, independent and verifiable participation, including privacy and independence, as for other voters;**

**(2) To provide individuals with disabilities and individuals who are blind and visually impaired with information about the accessibility of polling places, including outreach programs to inform individuals about the availability of accessible polling places and to train election officials, poll workers, and election volunteers on how to best promote the access and participation of individuals in elections, and to provide assistance in all accommodations needed by voters with disabilities.**

**Such funding shall be in the form of matching grants.**

**The secretary of state may promulgate rules to effectuate the provisions of this section.**

**2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Farnen, **House Amendment No. 5** was adopted.

Representative Britt offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Page 30, Section 115.157, Line 3 of said page, by inserting after the words "**enforcement agency**," the following:

**"any county, state, or federal parole officer, any federal pretrial officer, any peace officer pursuant to section 590.010, RSMo, any member of a parole officer's, pretrial officer's, or peace officer's immediate family,"; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Britt, **House Amendment No. 6** was adopted.

Representative Smith offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.645, Pages 71-72, by deleting all of said section; and

Further amend the title enacting clause and intersectional references accordingly.

Representative Monaco assumed the Chair.

Representative Hegeman offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Pages 71 and 72, Section 115.645, by deleting all of said section and inserting in lieu thereof the following:

**"115.645. 1. To determine whether violations of this chapter have occurred, the secretary of state shall have the power to investigate such persons and records as necessary. Such power is limited to cases where:**

**(1) The secretary of state determines that a matter of statewide interest is adversely affected; or  
(2) The secretary of state determines local law enforcement authorities are unwilling or unable to investigate the matter; or**

**(3) The local election authority requests the secretary of state to investigate.**

**2. The secretary of state shall have the investigative subpoena powers granted prosecuting attorneys under section 56.085, RSMo. The venue for seeking issuance of such subpoena shall be in Cole County. Any request for subpoena shall:**

**(1) State the statute and section thereof, the alleged violation of which is under investigation, and the general subject matter of the investigation;**

**(2) Describe the class or classes of information, documentary material, or physical evidence to be produced thereunder with reasonable specificity so as fairly to indicate the material demanded;**

**(3) Prescribe a return date by which the information, documentary material, or physical evidence is to be produced; and**

**(4) Identify the members of the secretary of state's staff to whom the information, documentary material, or physical evidence requested is to be made available.**

**3. No request for subpoena shall:**

(1) Contain any requirement which would be unreasonable or improper if contained in a subpoena duces tecum issued by a court of this state;

(2) Require the disclosure of any documentary material which would be privileged or which, for any other reason, could not be required by a subpoena duces tecum issued by a court of this state;

(3) Require any person to travel outside the county of his or her residence.

4. The secretary of state shall promulgate rules to effectuate the provisions of this section.

5. The secretary of state shall ensure the confidentiality of all reports, records, working papers, recorded information except that all such records shall be available to the local law enforcement officials if the secretary of state refers any alleged violation of this chapter for prosecution and to the local election authority except when the secretary of state alleges the local election authority has committed a violation of this chapter.

6. In investigating violations of this chapter the secretary of state and any local law enforcement officials shall refrain from any conduct which has the possibility of affecting the conduct or outcome of an election. No investigations of alleged violations of this chapter by the secretary of state or local law enforcement officials shall occur prior to an election and subpoenas requested prior to an election shall be issued only if sufficient evidence exist that information or documents sought under the subpoena will be unavailable after the election.

7. The secretary of state shall have the power to access records that are closed under this chapter or under chapter 610, RSMo, if such records are necessary for the conduct of an investigation under this section.

8. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 7** is not a true substitute amendment.

Representative Smith raised a second point of order that **House Substitute Amendment No. 1 for House Amendment No. 7** is not properly drafted.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the first point of order not well taken.

The Parliamentary Committee ruled the second point of order not well taken.

Speaker Kreider resumed the Chair.

Representative Hegeman moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Myers	Naeger	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Richardson	Ridgeway	Roark	Robards
Ross	Schwab	Scott	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Wright

NOES: 080

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Froelker	Gratz	Hosmer	Luetkenhaus	Murphy
Nordwald	Reinhart	Secrest	Ward	

VACANCIES: 004

Representative Hohulin requested a verification of the roll call on the adoption of **House Substitute Amendment No. 1 for House Amendment No. 7.**

On motion of Representative Smith, **House Amendment No. 7** was adopted by the following vote:

AYES: 079

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Foley	Franklin	Fraser	Gambaro	George
Graham	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Toole	Overschmidt	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Farnen	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hunter	Jetton
Kelley 47	Kelly 144	King	Legan	Linton
Lograsso	Long	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 001

Hosmer

ABSENT WITH LEAVE: 006

Baker	Gratz	Luetkemeyer	O'Connor	Reinhart
Secrest				

VACANCIES: 004

Representative Scheve offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.126, Page 20, Line 19, by deleting “**presidential**” and inserting in lieu thereof “**general**”; and

Further amend said section, Page 21, Lines 8-23, by deleting all of said lines and renumbering the subsections accordingly.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

Representative Seigfreid raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 8** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Hanaway offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.126, Page 20, Line 19, by deleting “**presidential**” and inserting in lieu thereof “**general**”; and

Further amend said section, Page 21, Lines 8-15, by deleting all of said lines and inserting in lieu thereof the following: “**3. The**”; and on Page 21, Line 20, by deleting the word “**presidential**” and inserting in lieu thereof the word “**general**”; and

Further renumber the subsections accordingly.

Representative Hanaway moved that **House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Scheve moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Wilson (42) offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, by inserting Section 2 following Section 1.1, Page 81, Line 15.

**“1. All grant programs to be administered by the Secretary of State under Section 115.102, 115.074, 115.076 and 115.083 shall be administered by the Secretary of State such that the counties or a city not within a county which have the highest number of residents with an annual income, according to the most recent federal census, below that of the federal poverty level as established the federal department of health and human services, or its successor agency, shall receive preferred consideration for said grants.”.**

On motion of Representative Wilson (42), **House Amendment No. 9** was adopted.

Representative Lograsso offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Page 70, Section 115.493, Line 11 of said page, by inserting after all of said line the following:

"115.507. 1. Not later than the second Tuesday after the election, the verification board shall issue a statement announcing the results of each election held within its jurisdiction and shall certify the returns to each political subdivision and special district submitting a candidate or question at the election. The statement shall include a categorization of the number of regular and absentee votes cast in the election, and how those votes were cast; provided however, that absentee votes shall not be reported separately where such reporting would disclose how any single voter cast his or her vote. When absentee votes are not reported separately the statement shall include the reason why such reporting did not occur. Nothing in this section shall be construed to require the election authority to tabulate absentee ballots by precinct on election night.

2. The verification board shall prepare the returns by drawing an abstract of the votes cast for each candidate and on each question submitted to a vote of people in its jurisdiction by the state and by each political subdivision and special district at the election. The abstract of votes drawn by the verification board shall be the official returns of the election.

3. **Any home rule city with more than four hundred thousand inhabitants and located in more than one county may by ordinance designate one of the election authorities situated partially or wholly within that home rule city to be the verification board that shall certify the returns of such city submitting a candidate or question at any election and shall notify each verification board within the city of that designation by providing each with a copy of such duly adopted ordinance. Not later than the second Tuesday after any election in any city making such a designation, each verification board within the city shall certify the returns of such city submitting a candidate or question at the election to the election authority so designated by the city to be its verification board, and such election authority shall announce the results of the election and certify the cumulative returns to the city in conformance with subsections 1 and 2 of this section not later than ten days thereafter.**

4. Not later than the second Tuesday after each election at which the name of a candidate for nomination or election to the office of president of the United States, United States senator, representative in Congress, governor, lieutenant governor, state senator, state representative, judge of the circuit court, secretary of state, attorney general, state treasurer, or state auditor, or at which an initiative, referendum, constitutional amendment or question of retaining a judge subject to the provisions of article V, section 29 of the state constitution, appears on the ballot in a jurisdiction, the election authority of the jurisdiction shall mail or deliver to the secretary of state the abstract of the votes given in its jurisdiction, by polling place or precinct, for each such office and on each such question. If mailed, the abstract shall be enclosed in a strong, sealed envelope or envelopes. On the outside of each envelope shall be printed: "Returns of election held in the county of ..... (City of St. Louis, Kansas City) on the ..... day of ....., ....., ", etc."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 10** was adopted.

Representative Williams offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.277, Page 46, Line 18, by inserting opening and closing brackets ([ ]) around "**in any election**"; and

Further amend said section, Line 19, by inserting after "**election**" the following:

**"for presidential and vice presidential electors, United States senator and representative in Congress";**  
and

Further amend the title, enacting clause and intersectional references accordingly.



On motion of Representative Williams, **House Amendment No. 11** was adopted.

Representative Long offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.127, Page 24, Line 15, by inserting an opening bracket ( ) after "4.", and Page 25, Line 1, by inserting a closing bracket after "ballot." and inserting in lieu thereof the following:

**"Except as otherwise provided in article XII, section 2(b) of the Missouri Constitution or chapter 116, RSMo, in lieu of causing legal notice to be published twice in accordance with any of the provisions of this chapter, the election authority may cause legal notice to be mailed prior to the election by first class mail or other mail as authorized under the National Voter Registration Act of 1993 to each registered voter, and cause legal notice to be published within one week before the election in a newspaper qualified pursuant to chapter 493, RSMo. All such legal notices shall include the date and time of the election, the location of the polling place, the officer or agency calling the election and a sample ballot and voting instructions.";** and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Long moved that **House Amendment No. 12** be adopted.

Which motion was defeated.

Representative Reid offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.126, Page 20, Lines 16-24, Page 21, Lines 1-24, and Page 22, Lines 1-14, by deleting all of said section; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Reid moved that **House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 007

Harlan	Hohulin	Kelly 144	Legan	Reid
Schwab	Whorton			

NOES: 139

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz

Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Kelley 47	Kelly 27	Kelly 36	King	Lawson
Liese	Linton	Lograsso	Long	Lowe
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Ballard	Gratz	Green 73	Hickey
Hoppe	Jolly	Koller	Luetkemeyer	Monaco
O'Toole	Reinhart	Secrest		

VACANCIES: 004

## Representative Berkstresser offered **House Amendment No. 14.**

### *House Amendment No. 14*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Page 72, Section 115.645, Line 9, by inserting immediately after said section the following:

- “115.800. 1. This section shall be known and may be cited as the “Fair Ballot Language Act”.**
- 2. Each ballot question shall have an explanation following such question stating how a yes vote and how a no vote will affect taxation. The language shall be substantially as follows: “A (yes or no) vote will (raise, lower or not affect) taxes.”**
- 3. The election authority adding such question to the ballot shall make the determination required by this section.”; and**

Further amend title and enacting clause.

Representative Berkstresser moved that **House Amendment No. 14** be adopted.

Which motion was defeated.

Representative Harding offered **House Amendment No. 15.**

*House Amendment No. 15*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Page 9, Section 115.013, by inserting after all of said section the following:

**“115.022. Any election authority may establish a sample ballot pilot project within such election authority’s jurisdiction, which shall provide sample ballots by mail to voters for the purpose of educating the voters of the voting process and for determining whether providing sample ballots by mail to voters will increase voter turnout. Any election authority which establishes a sample ballot pilot project pursuant to this section shall establish such program by January 1, 2003, and shall deliver a report on the effectiveness of the pilot project, including recommendations for continuing, expanding, or modifying the project, to the secretary of state by December 31, 2005.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Harding moved that **House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Baker	Berkowitz	Boucher	Bray 84	Britt
Campbell	Carnahan	Clayton	Copenhaver	Crump
Curls	Daus	Davis	Farnen	Franklin
Fraser	George	Graham	Green 15	Hagan-Harrell
Hampton	Harding	Harlan	Hilgemann	Hollingsworth
Holt	Hosmer	Johnson 90	Jolly	Kelly 27
Kelly 36	Liese	Long	Lowe	Mays 50
Merideth	Overschmidt	Ransdall	Relford	Reynolds
Scheve	Seigfreid	Selby	Shoemyer	Skaggs
Smith	Treadway	Troupe	Van Zandt	Villa
Willoughby	Wilson 25			

NOES: 090

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Bland	Boatright	Bonner	Bowman	Boykins
Brooks	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Fares	Froelker	Gambaro
Gaskill	Griesheimer	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hoppe	Hunter	Jetton	Johnson 61	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Marble	Marsh	May 149	Mayer	McKenna
Miller	Moore	Myers	Naeger	Nordwald
O'Toole	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Shelton	Shields	Shoemaker	St. Onge
Surface	Thompson	Townley	Vogel	Walton
Ward	Whorton	Wilson 42	Wright	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 017

Abel	Enz	Foley	Gratz	Green 73
Hickey	Koller	Lawson	Luetkemeyer	Luetkenhaus
Monaco	Murphy	O'Connor	Reinhart	Secrest
Wagner	Williams			

VACANCIES: 004

**HCS HBs 1461 & 1470, with HS, as amended, pending,** was laid over.

### **SIGNING OF SENATE BILL**

All other business of the House was suspended while **CCS HCS SS #2 SB 650** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

### **SIGNING OF HOUSE BILL**

Having been duly signed in open session of the Senate, **CCS SCS HS HCS HBs 1037, 1188, 1074 & 1271** was delivered to the Governor by the Chief Clerk of the House.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2002** - Local Government and Related Matters  
**HB 2058** - Agriculture  
**HB 2080** - Criminal Law

### **COMMITTEE REPORTS**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1159, HB 1214, HB 1624, HB 1204, HB 1093, HB 1714, HB 1205, HB 1411, HB 1094, HB 1397, HB 1391, HB 1272, HB 1918, HB 1242, HB 1075, HB 1320** and **HB 1515 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Elections**, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1840**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Professional Registration and Licensing**, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1032**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1313**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1409**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1600**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1643**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Social Services, Medicaid and the Elderly**, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid the Elderly, to which was referred **HB 1781**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 57**, introduced by Representative Koller, relating to transportation.

**HJR 58**, introduced by Representatives Hosmer and Holand, relating to judiciary.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2095**, introduced by Representatives Mays (50), Willoughby and Burton, relating to the public service commission.

**HB 2096**, introduced by Representative Hollingsworth, relating to an equitable distribution system for local effort moneys and annual state appropriations for outpatient mental health services.

**HB 2097**, introduced by Representatives Copenhaver, Berkowitz, Shoemyer (9), Smith and Britt, relating to weights and measures.

**HB 2098**, introduced by Representative Walton, relating to African-American education.

**HB 2099**, introduced by Representative Hohulin, relating to exemptions from taxation.

**HB 2100**, introduced by Representative Hohulin, relating to franchise tax.

**HB 2101**, introduced by Representatives Cooper, Bearden, Dempsey, Hohulin, Hunter, Richardson and Legan, et al, relating to motor vehicles.

**HB 2102**, introduced by Representative Johnson (90), relating to a Missouri state board of electrolysis.

**HB 2103**, introduced by Representative Scott, relating to the vocational enterprises program.

**HB 2104**, introduced by Representatives Berkowitz, Barry, Hilgemann, Copenhaver, Wilson (42), Richardson and Luetkemeyer, relating to availability of certain vaccinations for residents in long-term care facilities.

**HB 2105**, introduced by Representatives Monaco, Bonner and Clayton, relating to drivers' licenses.

**HB 2106**, introduced by Representative Hagan-Harrell, relating to retirement benefits for members of the general assembly.

**HB 2107**, introduced by Representatives Byrd, Naeger and Hanaway, et al, relating to Missouri dependency exemptions.

**HB 2108**, introduced by Representative Bartelsmeyer, relating to election costs.

**HB 2109**, introduced by Representatives Lawson and Shields, relating to disclosure of mental health information.

**HB 2110**, introduced by Representatives Reinhart, Ridgeway, Kelly (144), Gaskill and Berkstresser, relating to unlawful use of weapons.

**HB 2111**, introduced by Representatives Kelly (144) and Kreider, et al, relating to enterprise zones.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 642**, entitled:

An act to amend chapter 191, RSMo, by adding thereto two new sections relating to testing for certain diseases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 714**, entitled:

An act to repeal section 190.500, RSMo, relating to the declaration of a state public health emergency, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 786**, entitled:

An act to amend chapter 327, RSMo, by adding thereto one new section relating to the licensing of architects and engineers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1011**, entitled:

An act to repeal section 260.270, RSMo, and to enact in lieu thereof one new section relating to waste tires, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1015**, entitled:

An act to repeal sections 253.080 and 253.082, RSMo, relating to state parks, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, March 6, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Thirty-first Day, Monday, March 4, 2002, pages 431 and 432, roll call, by showing Representative Bartelsmeyer "absent with leave" rather than voting "aye".

Pages 431 and 432, roll call, by showing Representatives Bartle, Berkstresser, Boatright and Green (15) voting "aye" rather than "absent with leave".

Pages 432 and 433, roll call, by showing Representative Berkstresser voting "aye" rather than "absent with leave".

Pages 433 and 434, roll call, by showing Representative Berkstresser voting "aye" rather than "absent with leave".

Pages 434 and 435, roll call, by showing Representative Boatright voting "aye" rather than "no".

Page 440, roll call, by showing Representative Cunningham voting "aye" rather than "absent with leave".

Pages 442 and 443, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 443 and 444, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, March 6, 2002, 3:00 p.m. Hearing Room 7.

To be considered - HB 1958, Executive Session - HB 1794, Executive Session - HB 1863, Executive Session - HB 1936, Executive Session - HCR 14, Executive Session - HR 281

### **APPROPRIATIONS - EDUCATION**

Wednesday, March 6, 2002. Hearing Room 1 upon adjournment.

Possible Executive Session. Continuation of mark-up.

To be considered - HB 1102, HB 1103

### **APPROPRIATIONS - HEALTH AND MENTAL HEALTH**

Wednesday, March 6, 2002, 3:00 p.m. Hearing Room 2.

Executive Session.

To be considered - HB 1953

### **BANKS AND FINANCIAL INSTITUTIONS**

Wednesday, March 6, 2002. Hearing Room 6 fifteen minutes upon adjournment.

Executive Session may follow. AMENDED.

To be considered - HB 1363, HB 1888, HB 1950, HB 2045, HR 51

### **BUDGET**

Wednesday, March 6, 2002, 8:00 a.m. Hearing Room 3. AMENDED.

Continuation on FY 2003 budget.

To be considered: HB 1104, HB 1112



**BUDGET**

Wednesday, March 6, 2002. Hearing Room 3 upon am adjournment.  
Continuation on FY 2003 budget.  
Specific bills announced in an amended notice.

**BUDGET**

Thursday, March 7, 2002, 8:00 a.m. Hearing Room 3.  
Continuation on FY 2003 budget.  
Specific bills to be announced in an amended notice.

**BUDGET**

Thursday, March 7, 2002. Hearing Room 3 upon a.m. adjournment.  
Continuation on FY2003 budget.  
Specific bills to be announced in amended notice.

**CIVIL AND ADMINISTRATIVE LAW**

Wednesday, March 6, 2002, 3:00 p.m. Hearing Room 1. AMENDED.  
To be considered - HB 1465, HB 1471, HB 1693, HB 1747, HB 1917, HB 1968  
Executive Session - HB 1802

**COMMERCE AND ECONOMIC DEVELOPMENT**

Wednesday, March 6, 2002. Hearing Room 7 upon adjournment.  
Executive Session may follow.  
To be considered - HB 1889

**CRIMINAL LAW**

Wednesday, March 6, 2002, 8:00 p.m. Hearing Room 7. AMENDED.  
Executive Session may follow.  
To be considered - HB 1394, HB 1542, HB 1737, HB 1836, HB 2008

**EDUCATION - HIGHER**

Wednesday, March 6, 2002, 3:00 p.m. Hearing Room 5.  
Possible Executive Session on bills heard by the committee as of this date.  
To be considered - HB 1986, HB 2019

**ENVIRONMENT AND ENERGY**

Thursday, March 7, 2002, 8:30 a.m. Hearing Room 7.  
Executive Session may follow.  
To be considered - HB 1323, HB 1599, HB 1754

**FISCAL REVIEW AND GOVERNMENT REFORM**

Wednesday, March 6, 2002, 8:30 a.m. Hearing Room 4.  
Fiscal Review HCS HB 1472.  
To be considered - HB 1897, HB 1915, Executive Session - HB 1306, Executive Session - HB 1855

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 7, 2002. Hearing Room 6 upon adjournment

20CSR 500-6.700

Department of Insurance, Property & Casualty, Workers' Compensation and Employer's Liability.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 6, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1813, HB 1850, HJR 24, HJR 33, HJR 40, HJR 51, HR 361

MUNICIPAL CORPORATIONS

Wednesday, March 6, 2002, 3:00 p.m. Hearing Room 4. AMENDED.

To be considered - HB 1708, HB 1811, HB 1931, HB 1964

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 6, 2002, 5:00 p.m. Hearing Room 5.

To be considered - HB 1919, HB 1937

RETIREMENT

Wednesday, March 6, 2002, 7:00 p.m. Hearing Room 1.

Executive Session may follow. AMENDED.

To be considered - HB 1538, HB 1571, HB 1572, HB 1674, HB 1724, HB 1818, HB 1823

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Wednesday, March 6, 2002. Hearing Room 4 upon a.m. adjournment.

To be considered - HB 1265, HB 1412

SUBCOMMITTEE ON BUDGET

Wednesday, March 6, 2002, 7:30 p.m. Hearing Room 3.

Testimony.

To be considered - HB 1114

TRANSPORTATION

Wednesday, March 6, 2002, 3:00 p.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1535, HB 1645, HB 1746

UTILITIES REGULATION

Wednesday, March 6, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1875, HB 1914, HB 1929

## **HOUSE CALENDAR**

THIRTY-THIRD DAY, WEDNESDAY, MARCH 6, 2002

### **HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 57 and HJR 58

### **HOUSE BILLS FOR SECOND READING**

HB 2095 through HB 2111

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1461 & 1470, with HS, as amended, pending - Seigfreid
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1403 - St. Onge
- 4 HCS HB 1817 - Franklin
- 5 HB 1592 - Hickey
- 6 HCS HB 1532 - Hoppe
- 7 HCS HB 1344 & 1944 - Crump
- 8 HCS HB 1906 - Green (73)
- 9 HCS HB 1877 - Foley
- 10 HB 1679 - Crump
- 11 HCS HB 1392 - Davis
- 12 HCS HB 1479 - Ladd Baker

### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1202, as amended - Smith

### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3-4-02)

- 1 HB 1569 - Davis
- 2 HB 1795 - Berkowitz
- 3 HB 1849 - Barnitz
- 4 HB 1745 - Koller
- 5 HB 1400 - Merideth
- 6 HB 1141 - Naeger
- 7 HB 1270 - Gratz
- 8 HB 1822 - Walton
- 9 HB 1783 - Lowe

- 10 HB 1768 - Hosmer
- 11 HB 1814 - Monaco
- 12 HB 1712 - Monaco
- 13 HB 1895 - Monaco
- 14 HB 1722 - Hosmer
- 15 HB 1779 - Green (73)
- 16 HB 1788 - Ross
- 17 HB 1778 - Monaco
- 18 HB 1789 - Ross
- 19 HB 1314 - Mays (50)
- 20 HB 1632 - O'Connor

### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1672 - Gambaro
- 3 HCS HB 1765, E.C. - Bray
- 4 HB 1581 - Clayton
- 5 HB 1418 - Barnitz

### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1406 - Barnett
- 2 HB 1402 - Burton
- 3 HB 1159 - Boykins
- 4 HB 1214 - Davis
- 5 HB 1624 - Skaggs
- 6 HB 1204 - Seigfreid
- 7 HB 1093 - Relford
- 8 HB 1714 - Hilgemann
- 9 HB 1205 - Seigfreid
- 10 HB 1411 - Skaggs
- 11 HB 1094 - Relford
- 12 HB 1397 - Ransdall
- 13 HB 1391 - Smith
- 14 HB 1272 - Smith
- 15 HB 1918 - Koller
- 16 HB 1242 - Griesheimer
- 17 HB 1075 - Nordwald
- 18 HB 1320 - Reid
- 19 HB 1515 - Burton

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 642
- 2 SB 714
- 3 SB 786
- 4 SB 1011
- 5 SCS SB 1015

**HOUSE RESOLUTION**

HR 150, (2-21-02, page 344) - Vogel

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTY-THIRD DAY, WEDNESDAY, MARCH 6, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: we would know You better than we do, so that we might love and serve You better than we have. Keep us from breaking faith with yesterdays promises or leaving unrepaired yesterdays wrongs.

Protect these men and women of the House from cynicism, and keep them working to improve our state, protect the needy, and care for the dependent. Help them to think clearly and to lead with compassion.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Daniel Wright, Maya Nevels, Evelyn Babcock, Marybeth Earhart, Brianne Schneider, Bridget Taylor, Crystal Crawford, Megan Hodgan, Cody Vaughn, Emily Anderson, Megan Anderson, Anna Berkowitz, Scott Burdick, Erika Meeker, Christa Hower, Cody Frazier, Mitchell Fitzpatrick, Hannah Barnard, Phillip James Scott, Brooke Boulware, Sadie Ronan, John Norman, Rebekah Hamilton, Jessica Newman, Amy Mack, Shawaun Nixon, Brya Mitchel, Ryan Fox, Sherean Abdallah, Lauren Ashley Scott, Laura Truetken, Sydney Cross, Ken Smith, Walter Harper, Caitlin O'Donnell, Angel Bailey, Kenneth Williams, Jr., Jordan Smith, Drew VanDyke, Tamika Reese, Danielle Waggerman, Sarah Bredeman, Michelle McNealey, Megan Myrick, Alyssa Wollard, Lucas Hofheins, Zeke Stott and Elizabeth Uhmer.

The Journal of the thirty-second day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 557 - Representative Jolly  
House Resolution No. 558 - Representative Hollingsworth  
House Resolution No. 559  
and  
House Resolution No. 560 - Representative Crowell  
House Resolution No. 561  
and  
House Resolution No. 562 - Representative Willoughby  
House Resolution No. 563 - Representative Thompson

House Resolution No. 564  
through  
House Resolution No. 567 - Representative Harding  
House Resolution No. 568  
and  
House Resolution No. 569 - Representative Legan  
House Resolution No. 570 - Representative Sanders Brooks  
House Resolution No. 571 - Representative Hanaway  
House Resolution No. 572  
through  
House Resolution No. 599 - Representative Murphy, et al  
House Resolution No. 600  
through  
House Resolution No. 643 - Representative Murphy  
House Resolution No. 644  
through  
House Resolution No. 657 - Representatives Murphy and Enz  
House Resolution No. 658  
through  
House Resolution No. 671 - Representatives Enz and Hendrickson  
House Resolution No. 672 - Representative Schwab  
House Resolution No. 673 - Representative Crump  
House Resolution No. 674 - Representative Johnson (90)  
House Resolution No. 675 - Representative Vogel

#### **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 57** and **HJR 58** were read the second time.

#### **SECOND READING OF HOUSE BILLS**

**HB 2095** through **HB 2111** were read the second time.

#### **SECOND READING OF SENATE BILLS**

**SCS SB 642, SB 714, SB 786, SB 1011** and **SCS SB 1015** were read the second time.

#### **THIRD READING OF HOUSE BILLS - CONSENT**

**HB 1406**, relating to Northwest Missouri State University, was taken up by Representative Barnett.

On motion of Representative Barnett, **HB 1406** was read the third time and passed by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnitz	Lograsso	Reinhart	Secrest
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VACANCIES: 004

Speaker Kreider declared the bill passed.

**HB 1402**, relating to telecommunication services, was taken up by Representative Burton.

On motion of Representative Burton, **HB 1402** was read the third time and passed by the following vote:



AYES: 156

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Reinhart	Secrest
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VACANCIES: 004

Speaker Kreider declared the bill passed.

## PERFECTION OF HOUSE BILLS

**HCS HBs 1461 & 1470, with HS, as amended, pending,** relating to elections, was taken up by Representative Seigfreid.

Representative Richardson offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Page 77, Section 130.026, Line 16 of said page, by inserting after all of said line the following:

"130.046. 1. The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

(1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any contribution or expenditure either in support or opposition to any candidate or ballot measure;

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any candidate committee under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

(3) Not later than the fifteenth day following the close of each calendar quarter.

Notwithstanding the provisions of this subsection, if any committee accepts contributions or makes expenditures in support of or in opposition to a ballot measure or a candidate **except a candidate seeking office in any special election occurring on or after January 1, 1999**, and the report required by this subsection for the most recent calendar quarter is filed prior to the fortieth day before the election on the measure or candidate, the committee shall file an additional disclosure report not later than the fortieth day before the election for the period closing on the forty-fifth day before the election.

2. In the case of a ballot measure to be qualified to be on the ballot by initiative petition or referendum petition, or a recall petition seeking to remove an incumbent from office, disclosure reports relating to the time for filing such petitions shall be made as follows:

(1) In addition to the disclosure reports required to be filed pursuant to subsection 1 of this section the treasurer of a committee, other than a continuing committee, supporting or opposing a petition effort to qualify a measure to appear on the ballot or to remove an incumbent from office shall file an initial disclosure report fifteen days after the committee begins the process of raising or spending money. After such initial report, the committee shall file quarterly disclosure reports as required by subdivision (3) of subsection 1 of this section until such time as the reports required by subdivisions (1) and (2) of subsection 1 of this section are to be filed. In addition the committee shall file a second disclosure report no later than the fifteenth day after the deadline date for submitting such petition. The period covered in the initial report shall begin on the day the committee first accepted contributions or made expenditures to support or oppose the petition effort for qualification of the measure and shall close on the fifth day prior to the date of the report;

(2) If the measure has qualified to be on the ballot in an election and if a committee subject to the requirements of subdivision (1) of this subsection is also required to file a preelection disclosure report for such election any time within thirty days after the date on which disclosure reports are required to be filed in accordance with subdivision (1) of this subsection, the treasurer of such committee shall not be required to file the report required by subdivision (1) of this subsection, but shall include in the committee's preelection report all information which would otherwise have been required by subdivision (1) of this subsection.

3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file disclosure reports pursuant to this section, except for any calendar quarter in which the contributions received by the committee or the expenditures or contributions made by the committee do not exceed five hundred dollars. The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September. No candidate, treasurer or deputy treasurer shall be required to file the quarterly disclosure report required not later than the fifteenth day of any January immediately following a November election, provided that such candidate, treasurer or deputy treasurer shall file the information required on such quarterly report on the quarterly report to be filed not later than the fifteenth day of April immediately following such November election. Each report by such committee shall be cumulative from the date of the last report. In the case of the continuing committee's first report, the report shall be cumulative from the date of the continuing committee's organization. Every candidate, treasurer or deputy treasurer

shall file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this section. A continuing committee shall submit additional reports if it makes aggregate expenditures, other than contributions to a committee, of five hundred dollars or more, within the reporting period at the following times for the following periods:

(1) Not later than the seventh day before an election for the period closing on the twelfth day before the election;  
 (2) Not later than forty-eight hours after aggregate expenditures of five hundred dollars or more are made after the twelfth day before the election; and

(3) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election.

4. The reports required to be filed no later than the thirtieth day after an election and any subsequently required report shall be cumulative so as to reflect the total receipts and disbursements of the reporting committee for the entire election campaign in question. The period covered by each disclosure report shall begin on the day after the closing date of the most recent disclosure report filed and end on the closing date for the period covered. If the committee has not previously filed a disclosure report, the period covered begins on the date the committee was formed; except that in the case of a candidate committee, the period covered begins on the date the candidate became a candidate according to the definition of the term candidate in section 130.011.

5. Notwithstanding any other provisions of this chapter to the contrary:

(1) Certain disclosure reports pertaining to any candidate who receives nomination in a primary election and thereby seeks election in the immediately succeeding general election shall not be required in the following cases:

(a) If there are less than fifty days between a primary election and the immediately succeeding general election, the disclosure report required to be filed quarterly; provided that, any other report required to be filed prior to the primary election and all other reports required to be filed not later than the seventh day before the general election are filed no later than the final dates for filing such reports;

(b) If there are less than eighty-five days between a primary election and the immediately succeeding general election, the disclosure report required to be filed not later than the thirtieth day after the primary election need not be filed; provided that any report required to be filed prior to the primary election and any other report required to be filed prior to the general election are filed no later than the final dates for filing such reports; and

(2) No disclosure report needs to be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than five hundred dollars nor made expenditure aggregating more than five hundred dollars and has not received contributions aggregating more than two hundred fifty dollars from any single contributor. Any contributions received or expenditures made which are not reported because of this statement is filed in lieu of a disclosure report shall be included in the next disclosure report filed by the committee. A report shall be filed for two or more consecutive disclosure quarters if either the contributions received or expenditures made in the aggregate during those reporting periods exceed five hundred dollars and a report shall be filed not later than the thirtieth day after an election if that report would show a deficit of more than one thousand dollars.

6. (1) If the disclosure report required to be filed by a committee not later than the thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with the appropriate officer for each succeeding semiannual period until the deficit is reported in a disclosure report as being reduced to five thousand dollars or less; except that, a supplemental semiannual report shall not be required for any semiannual period which includes the closing date for the reporting period covered in any regular disclosure report which the committee is required to file in connection with an election. The reporting dates and periods covered for semiannual reports shall be not later than the fifteenth day of January and July for periods closing on the thirty-first day of December and the thirtieth day of June;

(2) Committees required to file reports pursuant to subsection 2 or 3 of this section which are not otherwise required to file disclosure reports for an election shall file semiannual reports as required by this subsection if their last required disclosure report shows a total of unpaid loans and other outstanding obligations in excess of five thousand dollars.

7. In the case of a committee which disbands and is required to file a termination statement pursuant to the provisions of section 130.021 with the appropriate officer not later than the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy treasurer shall attach to the termination statement a complete disclosure report for the period closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

8. Disclosure reports shall be filed with the appropriate officer not later than 5:00 p.m. prevailing local time of the day designated for the filing of the report and a report postmarked not later than midnight of the day previous to the day designated for filing the report shall be deemed to have been filed in a timely manner. The appropriate officer may establish a policy whereby disclosure reports may be filed by facsimile transmission."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 16** was adopted.

Representative Hanaway offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section A, Page 2, Line 4, by inserting all of the following after said line:

"21.110. If the governor receives any resignation or notice of vacancy, or if he is satisfied of the death of any member of either house, during the recess, [he] **the governor** shall, [without delay] **within thirty days of the date of such resignation, notice of vacancy or death**, issue a writ of election to supply the vacancy."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Johnson (90) offered **House Substitute Amendment No. 1 for House Amendment No. 17**.

Representative Hanaway raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 17** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Copenhaver offered **House Substitute Amendment No. 1 for House Amendment No. 17**.

**House Substitute Amendment No. 1 for House Amendment No. 17** was withdrawn.

Representative Hanaway moved that **House Amendment No. 17** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149

Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Whorton	Wright	

NOES: 080

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 90	Jolly	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 002

Copenhaver	Johnson 61
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ABSENT WITH LEAVE: 003

Baker	Reinhart	Secrest
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VACANCIES: 004

Representative Hunter offered **House Amendment No. 18.**

**House Amendment No. 18** was withdrawn.

Speaker Pro Tem Abel assumed the Chair.

Representative Long offered **House Amendment No. 18.**

*House Amendment No. 18*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1461 & 1470, Section 115.420, Page 65, Line 19, by inserting the following after all of said line:

“115.427. 1. [In counties using binders as precinct registers,] before receiving a ballot, [each voter] **voters** shall identify [himself] **themselves by presenting a form of personal identification from the following list:**

**(1) Identification issued by the state of Missouri, an agency of the state, or a local election authority of the state;**

**(2) Identification issued by the United States government or agency thereof;**

**(3) Identification issued by an institution of higher education, including a university, college, vocational**

and technical school, located within the state of Missouri;

(4) Driver's license or state identification card issued by another state; or

(5) Other identification approved by the secretary of state under rules promulgated pursuant to subsection 3 of this section.

Personal knowledge of the voter by two supervising election judges, one from each major political party, shall be acceptable voter identification upon the completion of a secretary of state-approved affidavit that is signed by both supervisory election judges and the voter that attests to the personal knowledge of the voter by the two supervisory election judges. The secretary of state may provide by rule for a sample affidavit to be used for such purposes.

[and write his address and sign his name on a certificate furnished to the election judges by the election authority. Each certificate shall be in substantially the following form:

VOTER'S IDENTIFICATION CERTIFICATE Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to vote. PRECINCT WARD OR TOWNSHIP .....

GENERAL (SPECIAL, PRIMARY) ELECTION

Held ....., 20....

Date I hereby certify that I am qualified to vote at this election.

.....

Sign Name ..... (Do Not Print) ..... Initials of two judges from Address different political parties]

2. [In counties using computer printouts as the precinct register, before receiving a ballot, each voter shall present his voter identification card as provided in section 115.163.] The [computer printout] **precinct register** shall serve as the voter identification certificate. The following form shall be printed at the top of each page of the [computer printout] **precinct register**:

VOTER'S IDENTIFICATION CERTIFICATE Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to vote. PRECINCT WARD OR TOWNSHIP .....

GENERAL (SPECIAL, PRIMARY) ELECTION

Held ....., 20....

Date

I hereby certify that I am qualified to vote at this election **by signing my name and verifying my address by signing by initials next to my address.** [The voter shall sign his name and verify his address by his initials.]

**3. The secretary of state shall promulgate rules to effectuate the provisions of this section.**

**4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.**

[3.]**5.** If any voter is unable to sign his name, an election judge shall print the name and address of the voter in the appropriate place on the [certificate or printout] **precinct register**, the voter shall make his mark in lieu of signature, and the voter's mark shall be witnessed by the signature of an election judge.

[4. In counties using binders as the precinct register, two election judges, one from each major political party, shall compare the signature on the identification certificate with the signature on the precinct register.

5. In counties using printouts as the precinct register, two election judges, one from each major political party, shall compare the signature on the voter identification card with the signature on the computer printout. If the voter does not have his voter identification card, the judges shall require identification acceptable to the election authority. Personal knowledge of the voter by two election judges, one from each major political party, shall be acceptable identification to the election authority.]"; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Long moved that **House Amendment No. 18** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Green 73	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Shields
Shoemaker	St. Onge	Surface	Townley	Wright

NOES: 078

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Mays 50
McKenna	Merideth	O'Connor	O'Toole	Overschmidt
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Villa	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Burcham	Hagan-Harrell	Luetkenhaus	Monaco	Murphy
Nordwald	Reinhart	Secrest	Troupe	Van Zandt
Vogel				

VACANCIES: 004

Representative Wright requested a verification of the roll call on the motion to adopt **House Amendment No. 18**.

On motion of Representative Seigfreid, **HS HCS HBs 1461 & 1470, as amended**, was adopted.

On motion of Representative Seigfreid, **HS HCS HBs 1461 & 1470, as amended**, was ordered perfected and printed.

**HCS HB 1069**, relating to wage practices, was placed on the Informal Calendar.

**HCS HB 1403**, relating to retainage in building contracts, was placed on the Informal Calendar.

**HCS HB 1817**, relating to accountability for schools, was placed on the Informal Calendar.

**HB 1592**, relating to workers memorial fund, was placed on the Informal Calendar.

**HCS HB 1532**, relating to intoxication torts, was placed on the Informal Calendar.

**HCS HBs 1344 & 1944**, relating to firearms, was placed on the Informal Calendar.

**HCS HB 1906**, relating to state funds, was taken up by Representative Green (73).

Representative Green (73) offered **HS HCS HB 1906**.

Representative Marble requested a division of the question on **HS HCS HB 1906**.

On motion of Representative Green (73), **Part I of HS HCS HB 1906** was adopted.

Representative Relford offered **House Amendment No. 1 to Part II**.

*House Amendment No. 1*

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 1906, Page 2, Section 33.569, Line 19, by inserting immediately after the word “services” the following: “**performed on behalf of the fund.**”.

Representative Relford moved that **House Amendment No. 1 to Part II** be adopted.

Which motion was defeated.

On motion of Representative Green (73), **Part II of HS HCS HB 1906** was adopted.

On motion of Representative Green (73), **HS HCS HB 1906** was ordered perfected and printed.

**COMMITTEE REPORTS**

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1548**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.



**Committee on Correctional and State Institutions**, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1861**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1755**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1852**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1862**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2112**, introduced by Representatives Luetkenhaus, Gratz, Portwood, Burton, Reinhart, Kelley (47), Ross, Hunter, Hoppe, O'Connor and Holt, et al, relating to the powers of the attorney general.

**HB 2113**, introduced by Representatives Seigfreid, Copenhaver and Shoemyer (9), relating to detachment from a watershed subdistrict.

**HB 2114**, introduced by Representatives Whorton, Berkowitz, Shoemyer (9), Merideth and Legan, relating to equipment dealers.

**HB 2115**, introduced by Representatives Koller, Hanaway and Kreider, relating to authorization of the position of inspector general.

**HB 2116**, introduced by Representatives Johnson (61), Cunningham and Marble, relating to schools that participate in activities associations.

**HB 2117**, introduced by Representative Boucher, relating to the assistive technology advisory council.

**HB 2118**, introduced by Representatives O'Connor, Foley, Green (73), Green (15), O'Toole, Holt, Lowe and Hickey, et al, relating to fire protection sprinkler systems.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 49**.

#### SENATE CONCURRENT RESOLUTION NO. 49

BE IT RESOLVED by the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, that the Missouri Committee on Legislative Research shall prepare and cause to be collated, indexed, printed, and bound all acts and resolutions of the Ninety-first General Assembly, Second Regular Session, and shall examine the printed copies and compare them with and correct the same by the original rolls, together with an attestation under the hand of the Revisor of Statutes that he has compared the same with the original rolls in his office and has corrected the same thereby; and

BE IT RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws, and the size and style of type shall be determined by the Revisor of Statutes; and

BE IT RESOLVED that the Joint Committee on Legislative Research is authorized to print and bind copies of the acts and resolutions of the Ninety-first General Assembly, Second Regular Session, with appropriate indexing; and

BE IT FURTHER RESOLVED that the Revisor of Statutes is authorized to determine the number of copies to be printed.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 976**, entitled:

An act to repeal section 191.400, RSMo, relating to the state board of health, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1024**, entitled:

An act to amend chapter 334, RSMo, by adding thereto one new section relating to medical records.

In which the concurrence of the House is respectfully requested.

### COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative O'Connor is no longer a member of the Appropriations-Health and Mental Health Committee.

## MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE

March 6, 2002

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
SECOND REGULAR SESSION  
91ST GENERAL ASSEMBLY  
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1037, 1188, 1074 & 1271** entitled:

"AN ACT"

To repeal section 556.036, RSMo, and to enact in lieu thereof one new section relating to statute of limitations for sexual offenses, with penalty provisions and an emergency clause.

On March 6, 2002, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1037, 1188, 1074 & 1271**.

Respectfully submitted,

/s/ Bob Holden  
Governor

The following Special Message was received from His Excellency, Governor Bob Holden:

### PROCLAMATION

WHEREAS, during 2001 all major national forecasters envisioned an economy that would begin growing again during the last half of the year and continue with substantial growth during 2002; and

WHEREAS, instead of growing, the economy officially went into recession in April 2001, according to the National Bureau of Economic Research, which recession continues; and

WHEREAS, as a result of the recession and its effects, Missouri and the other states in our nation are struggling through difficult economic times, as demonstrated by the fact that the National Association of State Budget Officers' reports that Fiscal Year 2002 budget shortfalls totaling approximately \$40 billion dollars exist in 40 states, the National Conference of State Legislatures reports that at least 37 states and the District of Columbia face potential budget gaps in Fiscal Year 2003, and at least 25 states other than Missouri are using budget reserves in response to budget shortfalls; and

WHEREAS, the Missouri unemployment rate increased to 5.3% in January of 2002 from 4.4% in April 2001, when the recession began, and over 67,500 more Missourians were unemployed in January 2002 than in April 2001, resulting in less tax revenue to the states and an increase in needs for state services among the unemployed and their families; and

WHEREAS, since the terrorist attacks of September 11, economic recovery has been slower and weaker than expected, thereby exacerbating the recession; and

WHEREAS, measures related to homeland security after the attacks of September 11 will cost state and local governments millions of dollars for programs not covered by federal funding; and

WHEREAS, the U.S. Congress passed H.R. 1836, The Economic Growth and Tax Relief Reconciliation Act of 2001, which will reduce Missouri revenue collections by \$21.1 million in Fiscal Year 2002 and by \$41.6 million in Fiscal Year 2003; and

WHEREAS, State revenue collections have failed to keep pace with consensus revenue estimates that are agreed upon by the Governor's office and members of the House of Representatives and the Senate, and on which budgets have been built to address programs required by state and federal legislation and to respond to the pressures of a growing and aging population, to wit:

- The Fiscal Year 2002 consensus revenue estimate is \$6,419.2 million, a total of \$520.8 million below the \$6,940 million on which the budget is based,
- The Fiscal Year 2002 consensus revenue estimate is \$36.3 million below those actually received in Fiscal Year 2001, a .6 percent decline,
- The Fiscal Year 2003 consensus revenue estimate is \$149.5 million over the Fiscal Year 2002 estimate, a relatively anemic 2.3 percent growth,
- The Fiscal Year 2003 consensus revenue estimate is \$371.3 million below the amount needed to support the budget approved for Fiscal Year 2002,
- In Fiscal Year 2003 the State of Missouri faced a total of \$332.9 million in mandatory cost increases for Medicaid (\$157.5 million), corrections (\$48.3 million), state employee health care (\$13.4 million), and other items; and

WHEREAS, \$536 million in budget cuts and withholdings in the Fiscal Year 2002 budget have eliminated or reduced funding throughout the budget, making additional cuts in the core budget very difficult, which cuts and withholdings include:

- Withholding \$200.3 million in state agency operating budget spending,
- Withholding \$140.7 million in capital improvements spending, mostly for constructing buildings on the campuses of the state's colleges and universities,
- Withholding \$82.5 million in spending from the tobacco settlement and redirecting that money to general revenue,
- Vetoes of \$26.5 million from the budget,
- Reducing tax credits by \$7.5 million,
- Redirecting \$48.5 million in unobligated tobacco settlement funds and intergovernmental transfers to general revenue purposes,
- Redirecting \$30 million in funds from other state accounts to general revenue; and

WHEREAS, in Fiscal Year 2003 the Governor has recommended \$480 million in general revenue core reductions; and

WHEREAS, these core reductions include elimination of entire programs and reductions of 25 percent or more for other programs; and

WHEREAS, failing to provide additional funds by utilizing the budget reserve fund will require eliminating additional programs critical to the health, safety, and welfare of Missouri's most vulnerable citizens, including children, the elderly, and people with physical and mental disabilities; and

WHEREAS, the very purpose of the budget reserve fund, commonly known as the rainy day fund, as approved by the votes of this State, is to provide funds that the State can use in a time of great need, whether that need is occasioned by natural disaster, an economic downturn, or other circumstances, so that the State of Missouri has the ability to weather an economic storm; and

WHEREAS, the Constitution requires that the Governor declare an emergency so that the General Assembly may appropriate funds from the Budget Reserve Fund.

NOW, THEREFORE, I, Bob Holden, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and Laws of the State of Missouri, including Article III, section 27(a) of the Missouri Constitution and sections 44.010 to 44.130, RSMo, do hereby proclaim that an emergency exists in the State of Missouri as a result of the current economic conditions that prevail in the state of Missouri and the nation, which constitute a disaster of major proportions.

/s/ Bob Holden  
Governor

ATTEST:

/s/ Matt Blunt  
Secretary of State

### WITHDRAWAL OF HOUSE BILLS

March 5, 2002

Speaker Jim Kreider  
Speaker of the House  
The State Capitol  
Jefferson City, MO 65101

Dear Speaker Kreider:

I respectfully request that **HB 1958**, which specifies which inventory qualifies for repurchase from the retailer and which does not, be withdrawn.

Sincerely,

/s/ Representative Jim Whorton  
Missouri House of Representatives  
District 03

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March 6, 2002

The Honorable Jim Kreider  
Speaker of the House of Representatives  
State Capitol, Room 308  
Jefferson City, Missouri 65101

Dear Mr. Speaker,

I respectfully request to withdraw **HB 1354**.

Your consideration to this matter is greatly appreciated.

Yours Truly,

/s/ David L. Reynolds  
State Representative  
77<sup>th</sup> District

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 7, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Thirty-second Day, Tuesday, March 5, 2002, pages 465 and 466, roll call, by showing Representative Jolly voting "aye" rather than "absent with leave".

Pages 467 and 468, roll call, by showing Representative Murphy voting "no" rather than "absent with leave".

Pages 467 and 468, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Thursday, March 7, 2002, 9:00 a.m. Hearing Room 6.

To be considered - Executive Session - HB 1108, Executive Session - HB 1109

### **APPROPRIATIONS - EDUCATION**

Thursday, March 7, 2002. Hearing Room 1 upon adjournment.

Possible Executive Session. Continuation of mark-up.

To be considered - HB 1102, HB 1103

### **BANKS AND FINANCIAL INSTITUTIONS**

Thursday, March 7, 2002, 9:45 a.m. Side gallery.

Continued Executive Session.

### **BUDGET**

Thursday, March 7, 2002, 9:00 a.m. Hearing Room 3. AMENDED

To be considered - HB 1112

### **BUDGET**

Thursday, March 7, 2002. Hearing Room 3 upon a.m. adjournment. AMENDED.

To be considered HB 1108

### **EDUCATION - ELEMENTARY AND SECONDARY**

Thursday, March 7, 2002, 9:30 a.m. Hearing Room 5.

To be considered - Executive Session - HB 2024

**ENVIRONMENT AND ENERGY**

Thursday, March 7, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1323, HB 1599, HB 1754

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, March 7, 2002. Hearing Room 6 upon adjournment.

20CSR 500-6.700

Department of Insurance, Property & Casualty, Workers' Compensation and Employer's Liability.

**JOINT COMMITTEE ON ECONOMIC DEVELOPMENT**

Wednesday, March 13, 2002, 9:00 a.m. Hearing Room 1.

New Madrid Enterprise Zone.

Executive Session may follow.

**JUDICIARY**

Thursday, March 7, 2002, 9:15 a.m. Hearing Room 1.

To be considered - HB 2085, Executive Session - HB 1659, Executive Session- HB 1698,

Executive Session - HB 1715, Executive Session - HB 1766, Executive Session - HB 2085

**HOUSE CALENDAR**

THIRTY-FOURTH DAY, THURSDAY, MARCH 7, 2002

**HOUSE BILLS FOR SECOND READING**

HB 2112 through HB 2118

**HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 1115 - Green (73)

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1877 - Foley
- 2 HB 1679 - Crump
- 3 HCS HB 1392 - Davis
- 4 HCS HB 1479 - Ladd Baker

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1202, as amended - Smith
- 3 HCS HB 1069 - Bray
- 4 HCS HB 1403 - St. Onge

- 5 HCS HB 1817 - Franklin
- 6 HB 1592 - Hickey
- 7 HCS HB 1532 - Hoppe
- 8 HCS HB 1344 & 1944 - Crump

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3-4-02)

- 1 HB 1569 - Davis
- 2 HB 1795 - Berkowitz
- 3 HB 1849 - Barnitz
- 4 HB 1745 - Koller
- 5 HB 1400 - Merideth
- 6 HB 1141 - Naeger
- 7 HB 1270 - Gratz
- 8 HB 1822 - Walton
- 9 HB 1783 - Lowe
- 10 HB 1768 - Hosmer
- 11 HB 1814 - Monaco
- 12 HB 1712 - Monaco
- 13 HB 1895 - Carnahan
- 14 HB 1722 - Hosmer
- 15 HB 1779 - Green (73)
- 16 HB 1788 - Ross
- 17 HB 1778 - Monaco
- 18 HB 1789 - Ross
- 19 HB 1314 - Mays (50)
- 20 HB 1632 - O'Connor

(3-7-02)

- 1 HB 1548 - Barry
- 2 HB 1473 - Green (15)
- 3 HB 1781 - Green (73)
- 4 HB 1194 - Gambaro
- 5 HB 1518 - Luetkenhaus
- 6 HB 1568 - Luetkenhaus
- 7 HB 1409 - Campbell
- 8 HB 1600 - Treadway
- 9 HB 1840 - Seigfreid
- 10 HB 1504 - Liese
- 11 HB 1852 - Villa
- 12 HB 1755 - Merideth
- 13 HB 1643 - Holand



- 14     HB 1861 - Burcham
- 15     HB 1032 - Portwood
- 16     HB 1313 - Burton
- 17     HB 1862 - May (149)

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1       HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2       HB 1672 - Gambaro
- 3       HCS HB 1765, E.C. - Bray
- 4       HB 1581 - Clayton
- 5       HB 1418 - Barnitz
- 6       HS HCS HB 1906, E.C. - Green (73)

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1       HB 1159 - Boykins
- 2       HB 1214 - Davis
- 3       HB 1624 - Skaggs
- 4       HB 1204 - Seigfreid
- 5       HB 1093 - Relford
- 6       HB 1714 - Hilgemann
- 7       HB 1205 - Seigfreid
- 8       HB 1411 - Skaggs
- 9       HB 1094 - Relford
- 10      HB 1397 - Ransdall
- 11      HB 1391 - Smith
- 12      HB 1272 - Smith
- 13      HB 1918 - Koller
- 14      HB 1242 - Griesheimer
- 15      HB 1075 - Nordwald
- 16      HB 1320 - Reid
- 17      HB 1515 - Burton

#### **SENATE CONCURRENT RESOLUTION FOR SECOND READING**

SCR 49

**SENATE BILLS FOR SECOND READING**

- 1 SB 976
- 2 SCS SB 1024

**HOUSE RESOLUTION**

HR 150, (2-21-02, page 344) - Vogel

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTY-FOURTH DAY, THURSDAY, MARCH 7, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: You have given us life and placed about and within us all that we need. Help us to be sensitive to Your Spirit brooding over us. Save us from the tensions that break us down.

Keep these men and women of the House, and their staff, in Your mercy this day. And bring Your peace to all who are caught-up in worry and the pressures that drive the House. Grant patience and good humor where it is most needed, and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kurt Doenges, Whitley Almond, Brian Eddington, Jennifer Fox, Theodore Kremer, Michelle Valleroy and Zachary Miller.

The Journal of the thirty-third day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 676	-	Representative Green (73), et al
House Resolution No. 677	-	Representative Burcham
House Resolution No. 678	-	Representative Johnson (61)
House Resolution No. 679	-	Representative Cooper
House Resolution No. 680	-	Representative Skaggs
House Resolution No. 681	-	Representative Enz
House Resolution No. 682		
		through
House Resolution No. 684	-	Representative Hegeman
House Resolution No. 685	-	Representative Bearden

## SECOND READING OF HOUSE BILLS

**HB 2112** through **HB 2118** were read the second time.

## SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 49** was read the second time.

## SECOND READING OF SENATE BILLS

**SB 976** and **SCS SB 1024** were read the second time.

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1906**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1461 & 1470**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## THIRD READING OF HOUSE BILLS

**HB 1672**, relating to income tax: athletes and entertainers, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **HB 1672** was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna

Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Boucher	Bray 84	Burton	Crowell
Reinhart	Secrest	Thompson	Townley	

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1581**, relating to state highway patrol, was taken up by Representative Clayton.

On motion of Representative Clayton, **HB 1581** was read the third time and passed by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway

Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Burton	Carnahan	Reinhart	Secret
Townley				

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HB 1418**, relating to state parks, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **HB 1418** was read the third time and passed by the following vote:

AYES: 153

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith

St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Barnett	Burton	Reinhart	Secrest
Townley				

VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

**HCS HB 1765**, relating to sales/use tax: streamlined sales tax, was taken up by Representative Bray.

On motion of Representative Bray, **HCS HB 1765** was read the third time and passed by the following vote:

AYES: 108

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Campbell	Carnahan	Champion	Clayton
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	O'Connor
O'Toole	Ostmann	Overschmidt	Ransdall	Relford
Reynolds	Richardson	Rizzo	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Treadway	Van Zandt	Villa	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 046

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Boatright	Byrd	Cierpiot	Cooper
Dempsey	Dolan	Enz	Froelker	Gratz
Griesheimer	Henderson	Hendrickson	Hohulin	Hunter
Kelley 47	Kelly 144	Linton	Lograsso	Luetkemeyer

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Marble	Marsh	May 149	Mayer	Myers
Naeger	Nordwald	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Ridgeway	Roark
Robirds	Ross	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Burton	Hickey	Reinhart	Secrest	Troupe
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VACANCIES: 004

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 095

Abel	Baker	Barnitz	Barry 100	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Champion	Clayton	Copenhaver	Crump
Curls	Daus	Davis	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Koller	Lawson	Legan
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	O'Connor
O'Toole	Ostmann	Overschmidt	Ransdall	Reid
Relford	Reynolds	Rizzo	Scheve	Schwab
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Villa	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 058

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Boatright	Burcham	Byrd	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Froelker	Gaskill	Gratz
Griesheimer	Hartzler	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Myers
Naeger	Nordwald	Phillips	Portwood	Purgason
Quinn	Rector	Richardson	Ridgeway	Roark
Robirds	Ross	Scott	Shoemaker	St. Onge
Surface	Vogel	Wright		

PRESENT: 000



ABSENT WITH LEAVE: 006

Ballard	Burton	Reinhart	Secrest	Townley
Troupe				

VACANCIES: 004

Speaker Kreider assumed the Chair.

**HS HCS HB 1906**, relating to state funds, was taken up by Representative Green (73).

Representative Green (73) offered **House Perfecting Amendment No. 1**.

*House Perfecting Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1906, Page 2, Section 33.569, Line 4, by inserting after the word “**be**” a comma “**,**”.

On motion of Representative Green (73), **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Green (73), **HS HCS HB 1906, as amended**, was read the third time and passed by the following vote:

AYES: 123

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Cierpiot	Clayton	Cooper	Copenhaver	Crump
Cunningham	Curls	Daus	Davis	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Koller	Lawson	Legan	Liese	Lowe
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Purgason	Ransdall
Rector	Relford	Reynolds	Ridgeway	Rizzo
Robirds	Ross	Scheve	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Van Zandt	Villa	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 027

Bartelsmeyer	Bearden	Boatright	Burcham	Byrd
Champion	Crawford	Crowell	Dempsey	Dolan
Froelker	Griesheimer	Hunter	Jetton	King
Linton	Long	Luetkemeyer	Nordwald	Phillips
Portwood	Quinn	Richardson	Roark	Schwab
Townley	Vogel			

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkstresser	Burton	Hampton	Hohulin	Lograsso
Reid	Reinhart	Secrest	Troupe	

VACANCIES: 004

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 121

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Cooper	Copenhaver	Crump	Cunningham
Curls	Daus	Davis	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Purgason	Quinn	Ransdall	Relford
Reynolds	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Van Zandt
Villa	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 026

Bartelsmeyer	Bearden	Boatright	Burcham	Champion
Cierpiot	Crawford	Crowell	Dempsey	Dolan
Enz	Froelker	Griesheimer	Hunter	Jetton

King	Linton	Long	Luetkemeyer	Phillips
Portwood	Rector	Ridgeway	Roark	Townley
Vogel				

PRESENT: 000

ABSENT WITH LEAVE: 012

Berkstresser	Burton	Byrd	Hickey	Hohulin
Lograsso	Nordwald	Reid	Reinhart	Richardson
Secrest	Troupe			

VACANCIES: 004

### PERFECTION OF HOUSE BILLS - INFORMAL

**HCS HB 1202, as amended**, relating to sales/use tax: refund of taxes, was taken up by Representative Smith.

Representative Campbell offered **House Amendment No. 4**.

**House Amendment No. 4** was withdrawn.

On motion of Representative Smith, **HCS HB 1202, as amended**, was adopted.

On motion of Representative Smith, **HCS HB 1202, as amended**, was ordered perfected and printed by the following vote:

AYES: 081

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Kelly 27
Kelly 36	Lawson	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	O'Connor	O'Toole
Overschmidt	Ransdall	Reid	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Van Zandt	Villa	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 065

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares

Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Holand	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Shields	Shoemaker	St. Onge	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 013

Berkstresser	Burton	Hampton	Hohulin	Koller
Long	Monaco	Reinhart	Richardson	Secrest
Surface	Townley	Troupe		

VACANCIES: 004

**HCS HB 1403**, relating to retainage in building contracts, was taken up by Representative St. Onge.

Representative St. Onge offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1403, Page 4, Section 436.330, Lines 4 to 6, by deleting all of said lines and inserting in lieu thereof the following: "**suppliers as contractors are to their subcontractors.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 1** was adopted.

Representative Portwood offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1403, Page 1, Section 436.300, Line 2, by inserting after the words "or agreement for" the words "**public or**"; and

Further amend said section, Line 5, by removing the words "**for a private owner**"; and

Further amend Section 436.336, Line 2, by inserting after the words "shall apply to all" the words "**public and**".

Speaker Pro Tem Abel resumed the Chair.

Representative Portwood moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Fares	Froelker	Gaskill	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hoppe
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Linton	Lograsso	Luetkemeyer	Marble
May 149	Miller	Monaco	Moore	Myers
Naeger	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Relford	Richardson	Ridgeway
Roark	Robirds	Ross	Scott	Seigfreid
Shields	Shoemaker	Townley	Villa	Vogel
Whorton	Wright			

NOES: 079

Abel	Barry 100	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Campbell
Carnahan	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Dolan	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Harding	Harlan	Haywood	Hilgemann	Hollingsworth
Holt	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Liese	Lowe	Marsh
Mayer	Mays 50	McKenna	Merideth	O'Connor
O'Toole	Overschmidt	Reid	Reynolds	Rizzo
Scheve	Schwab	Selby	Shelton	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Van Zandt	Wagner	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Berkstresser	Burton	Hampton	Hickey
Hohulin	Holand	Koller	Lawson	Long
Luetkenhaus	Murphy	Nordwald	Ransdall	Reinhart
Secrest	Surface	Troupe		

VACANCIES: 004

Representative Hanaway offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1403, Page 1, Section 436.303, Line 2, by deleting the word "**five**" and inserting in lieu thereof the word "**ten**"; and

Further amend said bill, Page 2, Section 436.306, Line 4, by inserting before the word "**retainage**" the phrase "**one-half of the**"; and

Further amend said bill, Page 2, Section 436.309, Lines 14 to 17, by deleting all of said lines and inserting in lieu thereof the following:

**"account of the subcontractor's substituted security. Except as otherwise provided in this section, the contractor shall have"; and**

Further amend said bill, Page 3, Section 436.312, Lines 1 to 12, by deleting all of said section and inserting in lieu thereof the following:

**"436.312. Financial instruments which are bank letters of credit or surety issued performance bonds which are issued without any new cost to the owner shall constitute acceptable substitute security for purposes of sections 436.306 and 436.309."; and**

Further amend said bill, Page 4, Section 436.327, Lines 3 to 6, by deleting all of said lines and inserting in lieu thereof the following:

**"(1) The architect or engineer issues a certificate of substantial completion; or  
(2) The owner begins to use the project for its intended purposes."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hanaway moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Byrd	Champion
Cierpiot	Cooper	Crawford	Cunningham	Dolan
Enz	Fares	Froelker	Gambaro	Gaskill
Gratz	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Holand	Hoppe	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Mayer	Merideth	Miller	Moore
Myers	Ostmann	Portwood	Purgason	Quinn
Rector	Richardson	Ridgeway	Roark	Robirds
Ross	Scott	Shields	Shoemaker	Townley
Villa	Vogel	Wright	Mr. Speaker	

NOES: 077

Abel	Barry 100	Berkowitz	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Campbell	Carnahan	Clayton	Copenhaver
Crowell	Crump	Curls	Daus	Davis
Dempsey	Farnen	Foley	Franklin	Fraser
George	Graham	Green 15	Green 73	Hagan-Harrell
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hosmer	Johnson 90	Jolly
Kelly 27	Kelly 36	Koller	Liese	Lowe
Mays 50	McKenna	Murphy	Naeger	O'Connor
O'Toole	Overschmidt	Phillips	Ransdall	Reid
Reynolds	Rizzo	Scheve	Schwab	Seigfreid

Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Van Zandt	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42			

PRESENT: 003

Boykins	Brooks	Johnson 61
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ABSENT WITH LEAVE: 015

Baker	Berkstresser	Burton	Hampton	Hohulin
Lawson	Long	Luetkenhaus	Monaco	Nordwald
Reinhart	Relford	Secrest	Surface	Troupe

VACANCIES: 004

Representative Crawford offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1403, Page 3, Section 436.321, Line 2, following the word “to” by striking the word “**substantial**”; and

Further amend House Committee Substitute for House Bill No. 1403, Page 3, Section 436.324, Line 1, following the word “reaching” by striking the word “**substantial**”; and

Further amend House Committee Substitute for House Bill No. 1403, Page 3, Section 436.324, Lines 1-2, following the word “completion” by striking the following: “**as defined in section 436.327,**”; and

Further amend House Committee Substitute for House Bill No. 1403, Page 4, Section 436.327, Lines 1-6, by striking all of said section; and

Further amend title and enacting clause accordingly.

Representative Crawford moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Rector offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1403, Page 4, Section 436.336, Line 3, by adding after the words “**single-family residential construction**” the following:

“, **residential construction to be sold on the market by a home builder**”.

Representative Rector moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

**HCS HB 1403, as amended**, was laid over.

### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 56** - Fiscal Review and Government Reform

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1259** - Public Safety, Law Enforcement and Veteran Affairs

**HB 1262** - Fiscal Review and Government Reform

**HB 2001** - Professional Registration and Licensing

**HB 2003** - Social Services, Medicaid and the Elderly

**HB 2004** - Environment and Energy

**HB 2005** - Fiscal Review and Government Reform

**HB 2006** - Professional Registration and Licensing

**HB 2007** - Motor Vehicle and Traffic Regulations

**HB 2008** - Motor Vehicle and Traffic Regulations

**HB 2010** - Education-Elementary and Secondary

**HB 2011** - Local Government and Related Matters

**HB 2013** - Education-Elementary and Secondary

**HB 2014** - Judiciary

**HB 2015** - Critical Issues, Consumer Protection and Housing

**HB 2016** - Correctional and State Institutions

**HB 2017** - Civil and Administrative Law

**HB 2020** - Motor Vehicle and Traffic Regulations

**HB 2021** - Motor Vehicle and Traffic Regulations

**HB 2022** - Education-Higher

**HB 2023** - Education-Elementary and Secondary

**HB 2025** - Motor Vehicle and Traffic Regulations

**HB 2026** - Transportation

**HB 2027** - Motor Vehicle and Traffic Regulations

**HB 2028** - Children, Families and Health

**HB 2029** - Criminal Law

**HB 2030** - Social Services, Medicaid and the Elderly

**HB 2031** - Motor Vehicle and Traffic Regulations

**HB 2032** - Criminal Law

**HB 2033** - Critical Issues, Consumer Protection and Housing

**HB 2034** - Transportation

**HB 2035** - Judiciary



**HB 2036** - Environment and Energy  
**HB 2037** - Agriculture  
**HB 2038** - Motor Vehicle and Traffic Regulations  
**HB 2039** - Local Government and Related Matters  
**HB 2040** - Environment and Energy  
**HB 2041** - Motor Vehicle and Traffic Regulations  
**HB 2042** - Motor Vehicle and Traffic Regulations  
**HB 2044** - Ways and Means  
**HB 2047** - Education-Higher  
**HB 2048** - Motor Vehicle and Traffic Regulations  
**HB 2049** - Social Services, Medicaid and the Elderly  
**HB 2051** - Local Government and Related Matters  
**HB 2052** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 2053** - Local Government and Related Matters  
**HB 2055** - Judiciary  
**HB 2056** - Criminal Law  
**HB 2057** - Correctional and State Institutions  
**HB 2059** - Criminal Law  
**HB 2060** - Local Government and Related Matters  
**HB 2061** - Children, Families and Health  
**HB 2062** - Criminal Law  
**HB 2063** - Agriculture  
**HB 2065** - Agriculture  
**HB 2066** - Children, Families and Health  
**HB 2068** - Criminal Law  
**HB 2069** - Transportation  
**HB 2070** - Children, Families and Health  
**HB 2071** - Correctional and State Institutions  
**HB 2073** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 2074** - Transportation  
**HB 2076** - Transportation  
**HB 2077** - Ways and Means  
**HB 2078** - Judiciary  
**HB 2079** - Tourism, Recreation and Cultural Affairs  
**HB 2081** - Judiciary  
**HB 2082** - Children, Families and Health  
**HB 2083** - Social Services, Medicaid and the Elderly  
**HB 2084** - Miscellaneous Bills & Resolutions  
**HB 2086** - Children, Families and Health  
**HB 2087** - Environment and Energy  
**HB 2088** - Criminal Law  
**HB 2097** - Agriculture  
**HB 2102** - Professional Registration and Licensing  
**HB 2104** - Children, Families and Health  
**HB 2106** - Retirement

**HB 2111** - Commerce and Economic Development

**HB 2115** - Transportation

**HB 2117** - Critical Issues, Consumer Protection and Housing

## **COMMITTEE REPORTS**

**Committee on Banks and Financial Institutions**, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **HR 51**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### HOUSE COMMITTEE SUBSTITUTE FOR HOUSE RESOLUTION NO. 51

WHEREAS, during the interim between the First and Second Regular Sessions of the Ninety-first General Assembly, the House Interim Committee on Consumer Protection and Credit Cards on College Campuses met, took testimony, deliberated, and concluded its investigation of the recent increase in credit card debt among college students in Missouri; and

WHEREAS, the House Interim Committee on Consumer Protection and Credit Cards on College Campuses submitted a report to the Speaker of the House of Representatives which included the recommendations of the committee; and

WHEREAS, technology and consumerism during the last 15 years have combined to make the ownership of a credit card by college students commonplace, while many students may not be ready for the financial responsibility associated with the ownership of a credit card; and

WHEREAS, some credit card companies actively pursue the college student market through displays, free gifts, and the inclusion of application forms in shopping bags, without any obligation to inform the student applicant of the negative aspects of credit cards, the appropriate use of credit cards, or the responsibilities of debt; and

WHEREAS, almost 4 out of every 5 students entering college having never received any kind of school instruction on personal finance and school policies regarding credit card solicitation vary among Missouri's 32 public colleges and universities; and

WHEREAS, while most of the major credit card companies state that they have systems in place to assist cardholders who have trouble with excess debt, there is very little oversight of the practices of credit card companies on college campuses; and

WHEREAS, the recently enacted federal education legislation, H.R.1 (Public Law 107-110), the No Child Left Behind Act, sets aside for the first time federal moneys for personal finance education and financial literacy projects for students in public elementary and secondary schools, with additional funds available to monitor the impact of these programs and train teachers and administrators on financial education matters:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, urge the Department of Elementary and Secondary Education to incorporate personal finance and consumer education into the curriculum for public school grades kindergarten through twelfth, and that the MAP test be adjusted accordingly to test for retention and progress;

BE IT FURTHER RESOLVED that we urge the Coordinating Board of Higher Education to require each publicly funded institution of higher learning to establish a written policy on credit card solicitation of college students and address the credit card debt problem experienced by some college students by:

- (1) Limiting or restricting the availability of space to market credit cards on campus;
- (2) Limiting or restricting the number of solicitors allowed on campus;
- (3) Prohibiting specific marketing practices on campus, such as free gifts and applications placed in shopping bags;
- (4) If applications for credit cards are permitted to be placed in shopping bags, including pamphlets on credit card debt in bookstore shopping bags;
- (5) Determining how and whether alumni associations are allowed to solicit undergraduate students on campus and at athletic events; and
- (6) Determining what information credit card companies must provide to students when soliciting on campus, such as the long-term effect of compounded interest and disclosure of fees not prominently contained in the companies' credit card applications and contracts, the fact that the credit card company is not affiliated with the school, and the possible effects of developing a poor credit history; and

BE IT FURTHER RESOLVED that we urge the Coordinating Board of Higher Education to establish policies to:

- (1) Restrict access to student information by third parties for nonacademic purposes;
- (2) Give students the ability to "opt out" of student listings accessed by credit card companies without an all or nothing approach;
- (3) Have available education on personal finance, credit cards, and debt management as part of the college's orientation or as a regular college course, and include information in student handbooks; and
- (4) The advertisement of the availability of credit counseling for students; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Department of Elementary and Secondary Education and the Coordinating Board for Higher Education.

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **HB 1762**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Commerce and Economic Development**, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **HB 1556**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Criminal Law**, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 2080**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Critical Issues, Consumer Protection and Housing**, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 1440**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Higher**, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 1986**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Environment and Energy**, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1748**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1537**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1659**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 262**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 262

WHEREAS, the Missouri House of Representatives has a long tradition of rendering assistance to programs that develop outstanding qualities of both citizenship and leadership; and

WHEREAS, the legislative interns of the Missouri General Assembly are interested in gaining an insight into the democratic process by conducting a mock legislative forum in the House Chamber; and

WHEREAS, one of the purposes of the Missouri General Assembly's intern program is to give college students participating in the program a working knowledge of the operation and function of Missouri's legislative bodies in order to better prepare them to pursue related career goals and to fulfill their roles as active and responsible citizens:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the participants of the Legislative and State Official Intern Program permission to use the House Chamber for the purpose of conducting their 2002 Mock Legislative Session from 10:00 a.m. until 1:00 p.m. on Tuesday, April 2 and Monday, April 15, 2002.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 278**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 278

WHEREAS, the people of Jackson County, Missouri suffered a disastrous winter ice storm on January 30th and 31st, 2002; and

WHEREAS, this ice storm caused tens of millions of dollars in property damage, causing over three hundred fifty thousand homes to be without electric power, many for an extended period of time, resulting in untold hardships and suffering for the people of Jackson County; and

WHEREAS, it is estimated that eighty percent of the trees in Jackson County have suffered damage, and ten percent were destroyed by the ice storm; and

WHEREAS, it is estimated that cleanup and repair efforts will take until the fall of this year to complete; and

WHEREAS, local municipal governments in Jackson County are struggling to find the money to pay for the millions of dollars in costs and repairs; and

WHEREAS, on February 6, 2002, President George W. Bush and the Federal Emergency Management Agency declared Jackson County, Missouri a federal disaster area, releasing federal funds to cover up to seventy-five percent of the costs of cleanup and repair; and

WHEREAS, the State of Missouri has an obligation to help its citizens in such a time of disaster and great public need:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby request that Governor Bob Holden release state money by Executive Order to the municipalities of Jackson County in order to help pay for the enormous costs of the cleanup of the Great Ice Storm of 2002; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Governor Bob Holden.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 318**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 318

WHEREAS, the General Assembly has a tradition of granting the use of the House of Representatives and Senate Chambers for mock legislative workshops conducted by civic organizations; and

WHEREAS, the University Extension 4-H Development Program is an educational experience in state government for youth by allowing such youth, with the aid and supervision of extension staff and legislators, to participate in mock legislative hearings and floor discussions of current bills that are of interest to youth:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, hereby grant the 4-H Citizenship Youth Forum permission to use the House Chamber on Thursday, June 27, 2002, from 9:00 a.m. until 11:30 a.m. to conduct a mock legislative session.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 341**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 341

WHEREAS, the members of the Missouri House of Representatives take great pride in rendering assistance to Missouri's Silver Haired Legislature; and

WHEREAS, the Silver Haired Legislature consists of older Missourians who are elected by their peers to participate in an annual, statewide work session in Jefferson City to determine and advocate for legislative priorities before the Missouri General Assembly; and

WHEREAS, the recommendations made by the Silver Haired Legislature have contributed to a better understanding of the merits and limitations of many popular proposals and have provided a meaningful opportunity for the elderly in Missouri to get involved in current issues of consequence:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in granting permission to the Silver Haired Legislature to use the House Chamber for their upcoming session to be held on October 31, 2002, from 9:00 a.m. to 4:30 p.m. and on November 1, 2002, from 9:00 a.m. to 1:00 p.m. and House Hearing Rooms 1 through 5 during the lunch hour on October 31 and November 1, 2002.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HR 361**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE RESOLUTION NO. 361

WHEREAS, there are a total of 221,200 Missouri jobs dependant on the automobile industry; and

WHEREAS, these Missouri jobs are important to communities in terms of employment opportunities and training, supporting Missouri tax bases and educational systems; and

WHEREAS, the state of Missouri produced 1,221,109 cars and light trucks in 1999; and

WHEREAS, in 2000, fifty-two percent of new vehicles registered in Missouri were light trucks; and

WHEREAS, residents of Missouri rely heavily on light trucks to meet the needs of families, small businesses, farmers, ranchers, and tradesmen; and

WHEREAS, the Corporate Average Fuel Economy (CAFÉ) standards particularly disadvantage manufacturers who offer a broad range of cars and trucks; and

WHEREAS, the truck segment is the growth segment in the industry, responsible for expansion and new jobs; and

WHEREAS, major increases in CAFÉ would restrict or eliminate some of the most popular Missouri cars and trucks, with the accompanying Missouri jobs; and

WHEREAS, all nine members of the Missouri Congressional Delegation voted against CAFÉ increases during the United States House of Representatives debate on H.R. 4; and

WHEREAS, there are several proposals before the United States Senate to increase the standards for Corporate Average Fuel Economy (CAFÉ):

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, affirm its strong opposition to increases in United States Corporate Average Fuel Economy (CAFÉ) standards that would result in an increase in Corporate Average Fuel Economy (CAFÉ); and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, the State of Missouri borders 488 miles of the Mississippi River; and

WHEREAS, many of Missouri's locks and dams are more than 60 years old and only 600 feet long, making them unable to accommodate modern barge tows of 1,200 feet long, nearly tripling locking times, and causing lengthy delays and ultimately increasing shipping costs; and

WHEREAS, the use of 1,200-foot locks has been proven nationwide as the best method of improving efficiency, reducing congestion, and modernizing the inland waterways; and

WHEREAS, the construction of the lock and dam system has spurred economic growth and a higher standard of living in the Mississippi and Illinois river basin, and today supplies more than 300 million tons of the nation's cargo, supporting more than 400,000 jobs, including 90,000 in manufacturing; and

WHEREAS, more than 60 percent of American agriculture exports, including corn, wheat, and soybeans, are shipped down the Mississippi and Illinois rivers on the way to foreign markets; and

WHEREAS, Missouri farmers, producers, and consumers rely on efficient transportation to remain competitive in a global economy, and efficiencies in river transport offset higher production costs compared to those incurred by foreign competitors; and

WHEREAS, the Upper Mississippi and Illinois lock and dam system saves our nation more than 1.5 billion dollars in higher transportation costs each year, and failing to construct 1,200-foot locks will cause farmers to use more expensive alternative modes of transportation, including trucks and trains; and

WHEREAS, according to the United States Army Corps of Engineers, congestion along the Upper Mississippi and Illinois rivers is costing Missouri and other producers and consumers in the basin 98 million dollars a year in higher transportation costs; and

WHEREAS, river transportation is the most environmentally friendly form of transporting goods and commodities, creating almost no noise pollution and emitting 35 to 60 percent fewer pollutants than either trucks or trains according to the United States Environmental Protection Agency; and

WHEREAS, moving away from river transport would add millions of trucks and rail cars to our nation's infrastructure, adding air pollution, traffic congestion, and greater wear and tear on highways; and

WHEREAS, backwater lakes created by the lock and dam system provide breeding grounds for migratory waterfowl and fish; and

WHEREAS, the lakes and 500 miles of wildlife refuge also support a billion-dollar-a-year recreational industry, including hunting, fishing, and tourism jobs; and

WHEREAS, upgrading the system of locks and dams on the Upper Mississippi and Illinois rivers will provide 3,000 high-paying construction and related jobs over a 15 to 20 year period with health benefits which will benefit not only those directly employed, but the local health care systems and economies of the communities in which these individuals live and work; and

WHEREAS, in 1999, the State of Missouri shipped 18.8 million tons of commodities, including grain, coal, chemicals, aggregates, and other products; and

WHEREAS, 38.6 million tons of commodities, including grain, coal, chemicals, aggregates, and other products, were shipped to, from, and within Missouri by barge, representing 4.2 billion dollars in value; and

WHEREAS, shippers moving by barge in Missouri realized a savings of approximately \$380 million compared to other transportation modes; and

WHEREAS, Missouri docks shipped products by barge to 18 states and received products from 17 states; and

WHEREAS, the Port of Metropolitan St. Louis shipped and received 32.6 million tons of commodities in 1999 worth over 5 billion dollars and is the second busiest inland port in the United States, linking rural Missouri and St. Louis with world markets; and

WHEREAS, there are approximately 183 manufacturing facilities, terminals, and docks on the waterways of Missouri, representing thousands of jobs in this state:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the importance of inland waterway transportation to Missouri agriculture and industry in the state, the region, and the nation, and urge the United States Congress to authorize funding to construct 1,200-foot locks on the Upper Mississippi and Illinois River System; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, the Chair of the United States Senate Committee on Commerce, Science, and Transportation, the Chair of the United States House Committee on Transportation and Infrastructure, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1496**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1994**, begs leave to report it has examined the same and recommends that it **Do Pass**.



**Committee on Professional Registration and Licensing**, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1689**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 21

WHEREAS, members of the National Guard as active duty military service members serve our nation at the call of the President of the United States in time of national emergency and in homeland defense initiatives; and

WHEREAS, members of the National Guard take an oath and serve at the call of the President and the Governors in times of emergency; and

WHEREAS, retired National Guard members with a minimum of 20 years of service receive entitlements similar to those of active duty military retiree's, including monthly retirement checks, prescription medical services, and access to worldwide space-available military travel; and

WHEREAS, members of the National Guard are compensated and receive base pay and allowances funded by the United States Department of Defense based on the same compensation programs as active duty military personnel; and

WHEREAS, as a result of the extended service provided by members of the Missouri National Guard in support of the nation in times of national emergency, retired members with a minimum of 20 years of service with the National Guard should receive the same United States Department of Veterans Affairs (USDVA) entitlements as an active duty military retiree, including access to Missouri state veterans homes and veterans administration hospitals and USDVA prescription medical benefits:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the United States Department of Veterans Affairs to amend their current policies and rules to provide reimbursement to the State of Missouri for National Guard member-related costs for stays in Missouri state veterans homes, and to allow National Guard veterans with a minimum of 20 years of service to participate in the per diem program and receive treatment and service at United States Department of Veterans Affairs veterans hospitals and receive prescription medical benefits in the same manner as active duty military veterans; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Anthony J. Principi, Secretary of Veterans Affairs.

**Committee on Retirement**, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1674**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Social Services, Medicaid and the Elderly**, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1898**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1196**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the first time and copies ordered printed:

**HCR 28**, introduced by Representatives Willoughby and Byrd, to create a Joint Legislative Committee on Utility Regulation and Infrastructure Investment.

**HCR 29**, introduced by Representative Reynolds, et al, to encourage the Citizens' Stamp Advisory Committee to recommend to the Postmaster General that a stamp honoring the Nations' coal miners be issued.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2119**, introduced by Representatives Crawford and Bearden, relating to aviation improvement.

**HB 2120**, introduced by Representatives Ridgeway and Hosmer, relating to the method of ascertaining the value of property.

**HB 2121**, introduced by Representative Campbell, relating to standby guardianship.

**HB 2122**, introduced by Representative Riback Wilson (25), relating to the oath used to certify personal property lists.

**HB 2123**, introduced by Representatives Barry, Curls, Abel, Crump, Kreider, Foley and Phillips, et al, relating to special license plates.

**HB 2124**, introduced by Representatives Lograsso and Wright, relating to the tax-me-more voluntary fund.

**HB 2125**, introduced by Representatives Wright and Lograsso, relating to the show-me pay more taxes voluntary fund.

**HB 2126**, introduced by Representative Shoemaker (8), relating to a memorial highway.

**HB 2127**, introduced by Representative Campbell, relating to elevator safety and inspection.

**HB 2128**, introduced by Representatives Wilson (42), Haywood, Troupe, Lowe, Campbell, Bland and Curls, et al, relating to seat belts.

**HB 2129**, introduced by Representatives Richardson and Monaco, relating to governance of business organizations.

**HB 2130**, introduced by Representatives Boykins, Gambaro, Villa, Shelton, Daus, Carnahan and Haywood, et al, relating to tangible personal property listings.

**HB 2131**, introduced by Representatives Bearden, Dempsey, Ostmann, Luetkenhaus and Holt, relating to highway and transportation funding.

**HB 2132**, introduced by Representative Troupe, relating to the criminal justice system.

**HB 2133**, introduced by Representatives Robirds, Koller, Kelly (144), Berkstresser, Myers, Cunningham and Marsh, et al, relating to motor vehicle inspections.

**HB 2134**, introduced by Representative Holand, relating to tax on retail sales of food.

**HB 2135**, introduced by Representative Luetkemeyer, relating to Medicaid reimbursement.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 916**, entitled:

An act to repeal sections 488.005 and 488.445, RSMo, relating to surcharges on civil cases/marriages, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 950**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the Henry Shaw Ozark Corridor.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 960**, entitled:

An act to amend chapter 301, RSMo, by adding thereto one new section relating to the creation of a special license plate.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 966**, entitled:

An act to amend chapter 301, RSMo, by adding thereto one new section relating to special license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 967**, entitled:

An act to repeal section 84.160, RSMo, relating to police officers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

### **WITHDRAWAL OF HOUSE BILL**

March 7, 2002

Speaker Jim Kreider  
Speaker of the House  
The State Capitol  
Jefferson City, MO 65101

Dear Speaker Kreider:

I respectfully request to withdraw **HB 2085**.

Your consideration to this matter is greatly appreciated.

/s/ Mark L. Richardson  
State Representative  
District 154

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, March 11, 2002.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - CORRECTIONS AND PUBLIC SAFETY**

Thursday, March 7, 2002, 9:00 a.m. Hearing Room 6.

To be considered - Executive Session - HB 1108, Executive Session - HB 1109

APPROPRIATIONS - EDUCATION

Thursday, March 7, 2002. Hearing Room 1 upon adjournment.

Possible Executive Session. Continuation of mark-up.

To be considered - HB 1102, HB 1103

BANKS AND FINANCIAL INSTITUTIONS

Thursday, March 7, 2002, 9:45 a.m. Side gallery.

Continued Executive Session.

BUDGET

Thursday, March 7, 2002, 9:00 a.m. Hearing Room 3. AMENDED.

To be considered - HB 1112

BUDGET

Thursday, March 7, 2002. Hearing Room 3 upon adjournment. AMENDED.

To be considered - HB 1108, HB 1109, HB 1111

BUDGET

Friday, March 8, 2002, 9:00 a.m. Hearing Room 3.

To be considered - HB 1108, HB 1109, HB 1111

BUDGET

Monday, March 11, 2002, 10:00 a.m. Hearing Room 3.

Continuation of hearings on FY2003 Budget

Specific bills to be announced in an amended notice.

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, March 11, 2002, 8:00 p.m. Hearing Room 3.

To be considered - HB 1803, HB 1921, HB 1976, HJR 25

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, March 7, 2002, 9:30 a.m. Hearing Room 5.

To be considered - Executive Session - HB 2024

ENVIRONMENT AND ENERGY

Thursday, March 7, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1323, HB 1599, HB 1754

ENVIRONMENT AND ENERGY

Tuesday, March 12, 2002. Side gallery upon morning adjournment.

Executive Session.

To be considered - HB 1750

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, March 7, 2002. Hearing Room 6 upon adjournment.

20CSR 500-6.700

Department of Insurance, Property & Casualty, Workers' Compensation and Employer's Liability.

**JOINT COMMITTEE ON ECONOMIC DEVELOPMENT**

Wednesday, March 13, 2002, 9:00 a.m. Hearing Room 1.

New Madrid Enterprise Zone.

Executive Session may follow.

**JUDICIARY**

Thursday, March 7, 2002, 9:15 a.m. Hearing Room 1.

To be considered - HB 2085, Executive Session - HB 1659, Executive Session - HB 1698,  
Executive Session - HB 1715, Executive Session - HB 1766, Executive Session - HB 2085

**LABOR**

Tuesday, March 12, 2002, 8:00 p.m. Hearing Room 4.

To be considered - HB 1349, HB 1974, Executive Session - HB 1091, Executive Session - HB 1092,  
Executive Session - HB 1318, Executive Session - HB 1427, Executive Session - HB 1932

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, March 12, 2002. Hearing Room 1 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1838, HB 1867, HB 1872, HB 1881, HB 1969, HB 2008, HB 2009

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, March 12, 2002, 8:30 a.m. Hearing Room 6.

Executive Session.

To be considered - HB 1876, HB 1934

**RULES, JOINT RULES, BILLS PERFECTED AND PRINTED**

Tuesday, March 12, 2002, 9:30 a.m. Side gallery.

Executive Session.

**WAYS AND MEANS**

Monday, March 11, 2002. Side gallery upon adjournment.

Executive Session.

**HOUSE CALENDAR**

THIRTY-FIFTH DAY, MONDAY, MARCH 11, 2002

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 28 and HCR 29

**HOUSE BILLS FOR SECOND READING**

HB 2119 through HB 2135

**HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 1115 - Green (73)

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1877 - Foley
- 2 HB 1679 - Crump
- 3 HCS HB 1392 - Davis
- 4 HCS HB 1479 - Ladd Baker
- 5 HB 1496 - Green (73)
- 6 HCS HB 1440 - Riback Wilson (25)
- 7 HCS HB 1556 - Rizzo
- 8 HCS HB 1689 - Treadway
- 9 HCS HB 1898 - Campbell
- 10 HCS HB 1762 - Harding
- 11 HB 1748 - Ransdall
- 12 HB 1994 - Hosmer

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1403, as amended - St. Onge
- 4 HCS HB 1817 - Franklin
- 5 HB 1592 - Hickey
- 6 HCS HB 1532 - Hoppe
- 7 HCS HB 1344 & 1944 - Crump

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3-4-02)

- 1 HB 1569 - Davis
- 2 HB 1795 - Berkowitz
- 3 HB 1849 - Barnitz
- 4 HB 1745 - Koller
- 5 HB 1400 - Merideth
- 6 HB 1141 - Naeger
- 7 HB 1270 - Gratz
- 8 HB 1822 - Walton

- 9 HB 1783 - Lowe
- 10 HB 1768 - Hosmer
- 11 HB 1814 - Monaco
- 12 HB 1712 - Monaco
- 13 HB 1895 - Carnahan
- 14 HB 1722 - Hosmer
- 15 HB 1779 - Green (73)
- 16 HB 1788 - Ross
- 17 HB 1778 - Monaco
- 18 HB 1789 - Ross
- 19 HB 1314 - Mays (50)
- 20 HB 1632 - O'Connor

(3-7-02)

- 1 HB 1548 - Barry
- 2 HB 1473 - Green (15)
- 3 HB 1781 - Green (73)
- 4 HB 1194 - Gambaro
- 5 HB 1518 - Luetkenhaus
- 6 HB 1568 - Luetkenhaus
- 7 HB 1409 - Campbell
- 8 HB 1600 - Treadway
- 9 HB 1840 - Seigfreid
- 10 HB 1504 - Liese
- 11 HB 1852 - Villa
- 12 HB 1755 - Merideth
- 13 HB 1643 - Holand
- 14 HB 1861 - Burcham
- 15 HB 1032 - Portwood
- 16 HB 1313 - Burton
- 17 HB 1862 - May (149)

#### **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCS HCR 11, (3-7-02) - Clayton
- 2 HCR 21, (3-7-02) - Boucher

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry



**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. - Seigfreid

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford
- 6 HB 1714 - Hilgemann
- 7 HB 1205 - Seigfreid
- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith
- 13 HB 1918 - Koller
- 14 HB 1242 - Griesheimer
- 15 HB 1075 - Nordwald
- 16 HB 1320 - Reid
- 17 HB 1515 - Burton

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 916
- 2 SB 950
- 3 SCS SB 960
- 4 SCS SB 966
- 5 SCS SB 967

**HOUSE RESOLUTIONS**

- 1 HR 150, (2-21-02, page 344) - Vogel
- 2 HCS HR 51, (3-7-02) - Boykins
- 3 HR 278, (3-7-02) - Bonner
- 4 HR 262, (3-7-02) - Williams
- 5 HR 341, (3-7-02) - Ladd Baker
- 6 HCS HR 361, (3-7-02) - Hanaway
- 7 HR 318, (3-7-02) - Crawford

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTY-FIFTH DAY, MONDAY, MARCH 11, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Almighty God, our state and nation must remember today the horror and terror of six months ago. For many the anguish and fear still remain fresh. We again call to mind those who gave their lives, their grieving relatives, those who tried to save lives, the people of New York City and all the citizens of our nation.

As we reopen this wound, let us commit ourselves again to lives that build harmony, and laws that reflect that goal. But let us be **strong** in this commitment as we fight the evil of terrorism with all our energy. Bring even more peace to this extraordinary state in which we live, through the work and dedication of these men and women representatives here, chosen to serve our best interests. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-fourth day was approved as corrected.

## RESOLUTION

Representative Liese offered House Resolution No. 689.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 686 - Representative Johnson (61)

House Resolution No. 687

and

House Resolution No. 688 - Representative Naeger

House Resolution No. 690

and

House Resolution No. 691 - Representative Ransdall

House Resolution No. 692

through

House Resolution No. 694 - Representative Jetton

House Resolution No. 695 - Representative Copenhaver

House Resolution No. 696 - Representative Williams

House Resolution No. 697

and

House Resolution No. 698 - Representative Kreider

House Resolution No. 699 - Representative Enz

## **SECOND READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 28** and **HCR 29** were read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 2119** through **HB 2135** were read the second time.

## **SECOND READING OF SENATE BILLS**

**SCS SB 916**, **SB 950**, **SCS SB 960**, **SCS SB 966** and **SCS SB 967** were read the second time.

## **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1202**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Speaker Pro Tem Abel assumed the Chair.

## **PERFECTION OF HOUSE BILLS - INFORMAL**

**HCS HB 1403, as amended**, relating to retainage in building contracts, was taken up by Representative St. Onge.

Representative St. Onge offered **House Amendment No. 6**.

### *House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1403, Page 1, Section 436.303, Line 2, by striking the word “five” and inserting in lieu thereof the word “ten”.

On motion of Representative St. Onge, **House Amendment No. 6** was adopted.

Representative St. Onge offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1403, Page 3, Section 436.312, Line 5, by adding the following after the word “state”:

**“; and mutually agreeable to the project owner and the contractor or subcontractor, in the amount of the retainage released. If the letter of credit is not renewed at least sixty days before the expiration of the letter of credit, the owner may draw upon the letter of credit regardless of the contractor’s or subcontractor’s performance for an amount equal to or no greater than the value of the amount of work remaining to be performed by the contractor or subcontractor.”.**

On motion of Representative St. Onge, **House Amendment No. 7** was adopted.

On motion of Representative St. Onge, **HCS HB 1403, as amended**, was adopted.

On motion of Representative St. Onge, **HCS HB 1403, as amended**, was ordered perfected and printed.

**HCS HB 1817**, relating to accountability for schools, was taken up by Representative Franklin.

Speaker Kreider resumed the Chair.

Representative Hilgemann offered **House Amendment No. 1**.

Representative Relford raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Carnahan offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1817, Page 2, Section 160.720, Line 28, by adding immediately after the word “**agreement**,” the following:

**“provided, however, that the department of elementary and secondary education shall meet with any district covered by the provisions of this subdivision prior to the district submitting any element of an accountability compliance statement, so that the department may identify elements of the settlement agreement academic improvement plan that are substantially similar to the requirements contained in this section, and the department shall advise such district if, based on its review, any further plan or reporting of such plans or elements is required;” ; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Carnahan, **House Amendment No. 1** was adopted.

Representative Shields offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1817, Page 5, Section 160.720, Line 132, by adding after all of said line the following:

**“11. In any school year in which the school funding formula contained in subsection 6 of section 163.031, RSMo., has a proration factor on line 1(b) of less than 1.0, the provisions of subsections 2 to 9 of this section relating to priority schools and priority school districts shall not be enforced. For any school year in which full funding of the school aid formula appears to be in doubt after all appropriations bills are truly agreed and finally passed, the house budget chair and the senate appropriations chair shall send a joint letter to the commissioner of education by August first, notifying the department of elementary and secondary education of the likelihood of less than full funding and requesting that the department not enforce subsections 2 to 9 of this section unless and until the department’s calculations for the first “live” school aid payment of the school year show that the formula will have a proration factor on line 1(b) of no less than 1.0.” ; and**

Further amend title, enacting clause and intersectional references accordingly.

Representative Franklin raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Shields moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Bartle offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1817, Page 1, Section 160.720, Line 5, by adding after that line the following:

**“The department of elementary and secondary education shall endeavor to identify waivers of administrative rule that result in a meaningful reduction in administrative burden on the districts recognized in this section.”.**

On motion of Representative Bartle, **House Amendment No. 3** was adopted.

Representative Shields offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1817, Page 5, Section 160.720, Line 132, by adding after all of said line the following:

**"11. In any school year in which the school funding formula has a proration factor on line 1(b) of less than 1.0, the provisions of subsections 2 to 9 of this section relating to priority schools and priority school districts shall not be enforced. For any school year in which full funding of the school aid formula appears to be in doubt after all appropriations bills are truly agreed and finally passed, the house budget chair and the senate appropriations chair shall send a joint letter to the commissioner of education by August fifteenth, notifying the department of elementary and secondary education of the likelihood of less than full funding and requesting that**

the department not enforce subsections 2 to 9 of this section unless and until the department's calculations for the first "live" school aid payment of the school year show that the formula will have a proration factor on line 1(b) of no less than 1.0."

On motion of Representative Shields, **House Amendment No. 4** was adopted.

On motion of Representative Franklin, **HCS HB 1817, as amended**, was adopted.

On motion of Representative Franklin, **HCS HB 1817, as amended**, was ordered perfected and printed.

### COMMUNICATION FROM THE SECRETARY OF STATE

TO THE CHIEF CLERK OF THE HOUSE  
Mr. Ted Wedel  
Jefferson City, MO

Sir:

I, Matt Blunt, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 66<sup>th</sup> House of Representative District in the State of Missouri, on the 5<sup>th</sup> day of March, 2002, as provided by law, the following named person was elected to the office of State Representative, 66<sup>th</sup> District as shown by the election results certified to this office by the election authority of the 66<sup>th</sup> House of Representative District.

Name	Office
Toby W. Paone 5441 Tholozan Avenue St. Louis, MO 63109	State Representative 66 <sup>th</sup> House of Representative District

IN WITNESS WHEREOF, I have hereunto set my  
hand and affixed the seal of my office this 11<sup>th</sup> day  
of March, 2002.

/s/ Matt Blunt  
Secretary of State

/s/ Terry Jarrett  
Acting Executive Deputy Secretary of State

### OATH OF OFFICE

Representative-elect Toby W. Paone advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Jim Kreider, Speaker of the Missouri House of Representatives.

Representative Farnen suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 003

Lograsso	Reynolds	Wright
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ABSENT WITH LEAVE: 005

Berkstresser	Haywood	Nordwald	Scott	Van Zandt
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VACANCIES: 003

## REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 25** - Miscellaneous Bills & Resolutions

## REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

**HJR 58** - Judiciary

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HS HCS HBs 1461 & 1470** - Fiscal Review and Government Reform (Fiscal Note)

**HB 2113** - Local Government and Related Matters

**HB 2123** - Motor Vehicle and Traffic Regulations

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1141, HB 1270, HB 1314, HB 1400, HB 1569, HB 1632, HB 1712, HB 1722, HB 1745, HB 1768, HB 1778, HB 1779, HB 1783, HB 1788, HB 1789, HB 1795, HB 1814, HB 1822, HB 1849** and **HB 1895 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Ethics**, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **Clay-Platte County Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

To: Representative Robert Clayton, Chairman  
House Ethics Committee

From: Representative Bill Skaggs

Date: February 12, 2002

Subject: Clay-Platte County Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo, I would like to request a hearing and approval for the Clay-Platte County Caucus.

A listing of the members of the 91<sup>st</sup> General Assembly, Second Regular Session Clay-Platte County Caucus is attached.



Clay-Platte County Caucus:

Senate District 17	/s/ Senator Ed Quick
Senate District 34	/s/ Senator Sidney Johnson
House District 31	/s/ Representative Bill Skaggs
House District 33	/s/ Representative Phil Willoughby
House District 36	/s/ Representative Gary Kelly
House District 34	/s/ Representative Annie Reinhart
House District 35	/s/ Representative Luann Ridgeway
House District 30	/s/ Representative Meg Harding
House District 32	/s/ Representative Susan Phillips
House District 29	/s/ Representative Maurice Lawson

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **Democratic Majority Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To:                Rep. Robert Clayton  
                      Chairman, House Ethics Committee

From:            Rep. Ted Farnen  
                      Chairman, Democratic Majority Caucus

Subject:         Addition

I respectfully request that Craig Bland be added to the Democratic Majority Caucus.

/s/ Craig Bland  
District 43

**Committee on Tourism, Recreation and Cultural Affairs**, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 20

WHEREAS, an area in eastern mid-Missouri has historically and informally been known as the "Arcadia Valley":

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, that the area in the State west of Highway 67, east of Highway 49, south of Highway 32, and north of Highway 72 shall be formally designated as the "Arcadia Valley".

**Committee on Urban Affairs**, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 1851**, begs leave to report it has examined the same and recommends that it **Do Pass.**

## INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 30**, introduced by Representative Boucher, relating to the concept of universal design in new home construction.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2136**, introduced by Representatives Shields, Naeger, Schwab, Froelker, Robirds, Ostmann and Reinhart, et al, relating to the Kansas City education renewal commission.

**HB 2137**, introduced by Representative Crump, relating to compensation for county treasurers.

**HB 2138**, introduced by Representative Kelly (27), relating to the administration of the department of transportation.

**HB 2139**, introduced by Representative Ladd Baker, relating to licenses to operate motor vehicles deposited in lieu of bail.

**HB 2140**, introduced by Representatives Berkowitz and Kreider, relating to fire protection.

**HB 2141**, introduced by Representatives Villa and Johnson (61), relating to transitional school districts.

**HB 2142**, introduced by Representative Riback Wilson (25), relating to paternity.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 834**, entitled:

An act to amend chapter 311, RSMo, by adding thereto one new section relating to Sunday liquor sales by the drink by establishments within an international airport, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 941**, entitled:

An act to repeal sections 242.010, 242.200 and 242.210, RSMo, relating to drainage districts, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1094**, entitled:

An act to repeal section 198.439, RSMo, and to enact in lieu thereof one new section relating to the nursing facility reimbursement allowance.

In which the concurrence of the House is respectfully requested.

### **WITHDRAWAL OF HOUSE BILL**

March 11, 2002

The Honorable Jim Kreider  
Speaker of the Missouri House of Representatives  
Room 308, State Capitol  
Jefferson City, MO 65101

Dear Speaker Kreider:

Please withdraw **House Bill 1387**. Thank you for your time and attention to this matter.

Sincerely,

/s/ Representative Bill Boucher

The following member's presence was noted: Scott.

### **ADJOURNMENT**

On motion of Representative Farnen, the House adjourned until 10:00 a.m., Tuesday, March 12, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Thirty-fourth Day, Thursday, March 7, 2002, page 512, line 17, by deleting said line.

Pages 500 and 501, roll call, by showing Representatives Boucher, Crowell and Townley voting "aye" rather than "absent with leave".

Pages 501 and 502, roll call, by showing Representatives Carnahan and Townley voting "aye" rather than "absent with leave".

Pages 502 and 503, roll call, by showing Representatives Barnett and Townley voting "aye" rather than "absent with leave".

Pages 504 and 505, roll call, by showing Representative Townley voting "no" rather than "absent with leave".

Pages 505 and 506, roll call, by showing Representative Hampton voting "aye" rather than "absent with leave".

Pages 507 and 508, roll call, by showing Representative Hampton voting "aye" rather than "absent with leave".

Pages 507 and 508, roll call, by showing Representatives Surface and Townley voting "no" rather than "absent with leave".

Pages 508 and 509, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 508 and 509, roll call, by showing Representatives Hampton, Murphy and Ransdall voting "no" rather than "absent with leave".

Pages 510 and 511, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 510 and 511, roll call, by showing Representative Hampton voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, March 13, 2002. Hearing Room 7 upon morning adjournment.

To be considered - HB 1967, HB 2037, HB 2058, HB 2063, HB 2065, HB 2097

### **BUDGET**

Tuesday, March 12, 2002, 8:00 a.m. Hearing Room 3. AMENDED.

To be considered - HB 1953, HJR 50, Executive Session - HB 1101

### **BUDGET**

Tuesday, March 12, 2002. Hearing Room 3 upon morning adjournment. AMENDED.

Executive Session on previously heard bills.

To be considered - HB 1101, HB 1102, HB 1103

### **BUDGET**

Tuesday, March 12, 2002, 7:00 p.m. Hearing Room 3.

Executive Session on FY 2003 budget bills.

**BUDGET**

Wednesday, March 13, 2002, 8:00 a.m. Hearing Room 3.  
Executive Session on FY 2003 budget bills.

**BUDGET**

Wednesday, March 13, 2002. Hearing Room 3 upon morning adjournment.  
Executive Session on FY 2003 budget bills.

**BUDGET**

Wednesday, March 13, 2002, 7:00 p.m. Hearing Room 3.  
Executive Session on FY 2003 budget bills.

**BUDGET**

Thursday, March 14, 2002, 8:00 a.m. Hearing Room 3.  
Executive Session on FY 2003 budget bills.

**BUDGET**

Thursday, March 14, 2002. Hearing Room 3 upon morning adjournment.  
Executive Session on FY 2003 budget bills.

**BUDGET**

Friday, March 15, 2002, 9:00 a.m. Hearing Room 3.  
Executive Session on FY 2003 budget bills (if needed).

**CHILDREN, FAMILIES, AND HEALTH**

Tuesday, March 12, 2002. Hearing Room 4 upon morning adjournment.  
Executive Session may follow. AMENDED.  
To be considered - HB 1133, HB 1677, HB 1947, HB 2061

**COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, March 12, 2002. Hearing Room 6 upon morning adjournment.  
Executive Session may follow.  
To be considered - HB 1805, HB 1961, HB 2111

**CORRECTIONAL & STATE INSTITUTIONS**

Tuesday, March 12, 2002, 6:00 p.m. Hearing Room 7.  
Executive Session may follow.  
To be considered - HB 2057

**CRIMINAL LAW**

Wednesday, March 13, 2002, 8:00 p.m. Hearing Room 7.  
Executive Session may follow.  
To be considered - HB 1948, HB 1954, HB 1955, HB 2029, HB 2032, HB 2056, HB 2059, HB 2062

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, March 13, 2002, 8:00 p.m. Hearing Room 6.

Executive Session may follow on: HBs 2018, 2023, 1916 & 1809

To be considered - HB 1512, HB 1566, HB 1726, HB 1828, HB 2018, HB 2023

ENVIRONMENT AND ENERGY

Tuesday, March 12, 2002. Side gallery upon morning adjournment.

Executive Session.

To be considered - HB 1750

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, March 12, 2002, 8:30 a.m. Hearing Room 7.

Fiscal Review. HS HCS HB 1461 & 1470.

INSURANCE

Tuesday, March 12, 2002, 6:00 p.m. Hearing Room 5.

To be considered - HB 1701, HB 1731, HB 1791, HB 1792, HB 1903, HB 1970

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT JUDICIARY

Tuesday, March 12, 2002. Hearing Room 5 upon morning adjournment.

To be considered - HB 1900, HB 2014, HB 2078, HB 2081

LABOR

Tuesday, March 12, 2002, 8:00 p.m. Hearing Room 4.

To be considered - HB 1349, HB 1974, Executive Session - HB 1091, Executive Session - HB 1092,

Executive Session - HB 1318, Executive Session - HB 1427, Executive Session - HB 1932

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 12, 2002. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1956, HB 1982, HB 2002, HB 2011, HB 2039, HB 2053, HB 2054

MISCELLANEOUS BILLS AND RESOLUTIONS

Tuesday, March 12, 2002. Side gallery upon morning adjournment.

To be considered - Executive Session - HB 1777

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 13, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1160, HB 1423, HB 1988, HCR 16

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 12, 2002. Hearing Room 1 upon morning adjournment.

Executive Session may follow. AMENDED.

To be considered - HB 1838, HB 1867, HB 1872, HB 1881, HB 1969, HB 2008, HB 2009, HB 2025, HB 2031, HB 2041, HB 2048, HB 2123

MUNICIPAL CORPORATIONS

Wednesday, March 13, 2002. Hearing Room 4 upon morning adjournment.

Executive Session.

To be considered - HB 2064

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 13, 2002. Hearing Room 4 upon afternoon adjournment.

Executive Session may follow.

To be considered - HB 2001, HB 2006, HB 2102

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, March 12, 2002, 8:30 a.m. Hearing Room 6.

Executive Session.

To be considered - HB 1876, HB 1934

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Tuesday, March 12, 2002, 9:30 a.m. Side gallery.

Executive Session.

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 12, 2002, 8:00 p.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1939, HB 2003, HB 2049

SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS

Wednesday, March 13, 2002. Hearing Room 2 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1547, HB 1609

TRANSPORTATION

Wednesday, March 13, 2002. Hearing Room 6 upon morning adjournment. CORRECTED.

Executive Session to follow.

To be considered - HB 1506, HB 2026, HB 2115, HJR 29

UTILITIES REGULATION

Wednesday, March 13, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1914

WAYS AND MEANS

Tuesday, March 12, 2002. Side gallery upon afternoon adjournment.  
Executive Session. AMENDED.

**HOUSE CALENDAR**

THIRTY-SIXTH DAY, TUESDAY, MARCH 12, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 30

**HOUSE BILLS FOR SECOND READING**

HB 2136 through HB 2142

**HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 1115 - Green (73)

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1877 - Foley
- 2 HB 1679 - Crump
- 3 HCS HB 1392 - Davis
- 4 HCS HB 1479 - Ladd Baker
- 5 HB 1496 - Green (73)
- 6 HCS HB 1440 - Riback Wilson (25)
- 7 HCS HB 1556 - Rizzo
- 8 HCS HB 1689 - Treadway
- 9 HCS HB 1898 - Campbell
- 10 HCS HB 1762 - Harding
- 11 HB 1748 - Ransdall
- 12 HB 1994 - Hosmer
- 13 HB 1851 - Curls

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HB 1592 - Hickey
- 4 HCS HB 1532 - Hoppe
- 5 HCS HB 1344 & 1944 - Crump



## **HOUSE BILLS FOR PERFECTION - CONSENT**

(3-7-02)

- 1 HB 1548 - Barry
- 2 HB 1473 - Green (15)
- 3 HB 1781 - Green (73)
- 4 HB 1194 - Gambaro
- 5 HB 1518 - Luetkenhaus
- 6 HB 1568 - Luetkenhaus
- 7 HB 1409 - Campbell
- 8 HB 1600 - Treadway
- 9 HB 1840 - Seigfreid
- 10 HB 1504 - Liese
- 11 HB 1852 - Villa
- 12 HB 1755 - Merideth
- 13 HB 1643 - Holand
- 14 HB 1861 - Burcham
- 15 HB 1032 - Portwood
- 16 HB 1313 - Burton
- 17 HB 1862 - May (149)

## **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCS HCR 11, (3-7-02, pages 519 & 520) - Clayton
- 2 HCR 21, (3-7-02, page 521) - Boucher
- 3 HCR 20, (3-11-02) - Crump

## **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

## **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HCS HB 1202 - Smith

## **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford

- 6 HB 1714 - Hilgemann
- 7 HB 1205 - Seigfreid
- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith
- 13 HB 1918 - Koller
- 14 HB 1242 - Griesheimer
- 15 HB 1075 - Nordwald
- 16 HB 1320 - Reid
- 17 HB 1515 - Burton
- 18 HB 1569 - Davis
- 19 HB 1795 - Berkowitz
- 20 HB 1849 - Barnitz
- 21 HB 1745 - Koller
- 22 HB 1400 - Merideth
- 23 HB 1141 - Naeger
- 24 HB 1270 - Gratz
- 25 HB 1822 - Walton
- 26 HB 1783 - Lowe
- 27 HB 1768 - Hosmer
- 28 HB 1814 - Monaco
- 29 HB 1712 - Monaco
- 30 HB 1895 - Carnahan
- 31 HB 1722 - Hosmer
- 32 HB 1779 - Green (73)
- 33 HB 1788 - Ross
- 34 HB 1778 - Monaco
- 35 HB 1789 - Ross
- 36 HB 1314 - Mays (50)
- 37 HB 1632 - O'Connor

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 834
- 2 SB 941
- 3 SB 1094

**HOUSE RESOLUTIONS**

- 1     HR 150, (2-21-02, page 344) - Vogel
- 2     HCS HR 51, (3-7-02, pages 514 & 515) - Boykins
- 3     HR 278, (3-7-02, page 517) - Bonner
- 4     HR 262, (3-7-02, pages 516 & 517) - Williams
- 5     HR 341, (3-7-02, page 518) - Ladd Baker
- 6     HCS HR 361, (3-7-02, pages 518 & 519) - Hanaway
- 7     HR 318, (3-7-02, pages 517 & 518) - Crawford

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTY-SIXTH DAY, TUESDAY, MARCH 12, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

The men and women gathered here, God of freedom and democracy, represent a broad spectrum of opinion and interest from across the state. Encourage these elected officials and our citizenry to be even more informed of all sides of issues and motivated to create and support helpful legislation.

In education, for example, open up for us ways to find the mental, emotional, and physical resources to keep all, from young to old, on the path to more knowledge and understanding. In social concerns, physical upkeep of our state's roads and buildings, in sensible respect in conserving our natural resources, and in so many areas of vital interest, grant this House the wisdom and fortitude to move ahead in those concerns which must be confronted if we are to grow as a state society.

We are now about midpoint in this session. We trust You for guidance and strength. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Drew Vines, Samantha Snyder, Eric Berry, Alisa Richardson, Steven Harris, Lauren Kliethermes, Matt Newman, Leann Botkin, Rachel Dorson, Chris Bartholomew and Josh Perkins.

The Journal of the thirty-fifth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 700 - Representative Smith  
House Resolution No. 701  
and  
House Resolution No. 702 - Representative Hanaway  
House Resolution No. 703 - Representatives Hanaway and Fares  
House Resolution No. 704  
and  
House Resolution No. 705 - Representative Gratz  
House Resolution No. 706 - Representative Moore  
House Resolution No. 707 - Representative Black  
House Resolution No. 708 - Representative Shields

House Resolution No. 709

and

House Resolution No. 710 - Representative Graham  
House Resolution No. 711 - Representative Kelley (47), et al  
House Resolution No. 712 - Representative Cierpiot  
House Resolution No. 713 - Representative Davis  
House Resolution No. 714 - Representative Bearden

## **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 30** was read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 2136** through **HB 2142** were read the second time.

## **SECOND READING OF SENATE BILLS**

**SCS SB 834, SB 941** and **SB 1094** were read the second time.

## **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1403** and **HCS HB 1817**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## **PERFECTION OF HOUSE BILL - APPROPRIATIONS**

**HCS HB 1115**, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1115, Page 8, Section 15.215, Line 4, by inserting after said line the following:

“Section 15.220. There is transferred out of the State Treasury, chargeable to various funds, such amounts as are necessary for allocation of costs to other funds in support of the state's central services, to the General Revenue Fund

From Uncompensated Care Fund . . . . .	\$2,525,210
From Mental Health Interagency Payments Fund . . . . .	34,315
From Department of Health Interagency Payments Fund . . . . .	8,318
From Pharmacy Rebates Fund . . . . .	534,646
From Third Party Liability Collections Fund . . . . .	89,728

From Marguerite Ross Barnett Scholarship Fund .....	2,349
From Utilicare Stabilization Fund .....	3,387
From Intergovernmental Transfer Fund .....	12,347
From Division of Family Services Donations Fund .....	188
From Child Support Enforcement Collections Fund .....	306,257
From Missouri Technology Investment Fund .....	16,654
From Missouri Water Development Fund .....	2,167
From General Revenue Reimbursements Fund .....	231,285
From Missouri Humanities Council Trust Fund .....	441
From Post Closure Fund .....	251
From Motorcycle Safety Trust Fund .....	25
From Hearing Instrument Specialist Fund .....	651
From School District Bonds Fund .....	895
From Compulsive Gamblers Fund .....	769
From Missouri Capital Access Program Fund .....	813
From Missouri Crime Prevention Information and Programming Fund .....	125
From Missouri Housing Trust Fund .....	41,498
From Treasurer's Information Fund .....	23
From State Committee of Interpreters Fund .....	204
From Elevator Safety Fund .....	530
From Residential Mortgage Licensing Fund .....	2,179
From Missouri Arts Council Trust Fund .....	24,357
From Board of Geologist Registration Fund .....	817
From Missouri Commission for the Deaf Board of Certification of Interpreters Fund .....	610
From Gaming Commission Bingo Fund .....	148
From Secretary of State's Technology Trust Fund Account .....	21,734
From Missouri Air Emission Reduction Fund .....	16,106
From Missouri National Guard Training Site Fund .....	3,198
From Statewide Court Automation Fund .....	53,373
From Nursing Facility Quality of Care Fund .....	34,582
From Missouri Student Grant Program Gift Fund .....	131
From Division of Tourism Supplemental Revenue Fund .....	60,297
From Health Initiatives Fund .....	322,921
From Health Access Incentive Fund .....	16,327
From Mental Health Housing Trust Fund .....	2
From Family Support Loan Program Fund .....	722
From Business Extension Service Team Fund .....	4,720
From Peace Officers Standards and Training Commission Fund .....	12,272
From Independent Living Center Fund .....	1,967
From Gaming Commission Fund .....	576,473
From Outstanding Schools Trust Fund .....	1,804,444
From Mental Health Earnings Fund .....	18,577
From Grade Crossing Safety Account Fund .....	11,517
From Animal Health Laboratory Fee Fund .....	3,855
From Mammography Fund .....	1,566
From Animal Care Reserve Fund .....	6,741
From Division of Aging Elderly Home Delivered Meals Trust Fund .....	586
From Highway Patrol Inspection Fund .....	7,835
From Missouri Public Health Services Fund .....	18,267
From Livestock Brands Fund .....	187
From Veterans' Commission Capital Improvement Trust Fund .....	74,793
From Commodity Council Merchandising Fund .....	1,319
From Single-Purpose Animal Facilities Loan Program Fund .....	1,898
From State Fair Fees Fund .....	37,054

From Agricultural Product Utilization Grant Fund .....	1,286
From State Parks Earnings Fund .....	82,110
From State Parks Revolving Fund .....	21
From Natural Resources Revolving Services Fund .....	12,071
From Historic Preservation Revolving Fund .....	3,792
From Missouri Veterans' Homes Fund .....	618,232
From Department of Natural Resources Cost Allocation Fund .....	87,658
From State Facility Maintenance and Operation Fund .....	188,708
From Office of Administration Revolving Administrative Trust Fund .....	531,550
From Working Capital Revolving Fund .....	304,966
From Central Check Mailing Service Revolving Fund .....	585
From House of Representatives Revolving Fund .....	239
From Supreme Court Publications Revolving Fund .....	650
From Adjutant General Revolving Fund .....	931
From Senate Revolving Fund .....	237
From Inmate Revolving Fund .....	49,303
From Department of Social Services Administrative Trust Fund .....	16,429
From Statutory Revision Fund .....	5,881
From Department of Economic Development Administrative Fund .....	18,576
From Division of Credit Unions Fund .....	16,762
From Division of Savings and Loan Supervision Fund .....	325
From Division of Finance Fund .....	105,591
From Insurance Examiners Fund .....	107,846
From Natural Resources Protection Fund .....	251
From Deaf Relay Service and Equipment Distribution Program Fund .....	50,625
From Real Estate Appraisers Fund .....	2,583
From Endowed Care Cemetery Audit Fund .....	1,244
From Professional and Practical Nursing Student Loan and Nurse Loan Repayment Fund .....	7,545
From Department of Insurance Dedicated Fund .....	148,679
From International Promotions Revolving Fund .....	1,590
From Solid Waste Management Fund-Scrap Tire Subaccount .....	24,471
From Solid Waste Management Fund .....	101,632
From Missouri Qualified Fuel Ethanol Producer Incentive Fund .....	15,172
From Aquaculture Marketing Development Fund .....	97
From Clinical Social Workers Fund .....	2,370
From Metallic Minerals Waste Management Fund .....	1,487
From Landscape Architectural Council Fund .....	279
From Local Records Preservation Fund .....	27,125
From Veterans' Trust Fund .....	387
From State Committee of Psychologists Fund .....	4,430
From Livestock Sales and Markets Fees Fund .....	160
From Manufactured Housing Fund .....	7,776
From Natural Resources Protection Fund-Air Pollution Asbestos Fee Subaccount .....	4,024
From Petroleum Storage Tank Insurance Fund .....	210,998
From Underground Storage Tank Regulation Program Fund .....	4,651
From Chemical Emergency Preparedness Fund .....	9,476
From Motor Vehicle Commission Fund .....	14,902
From Health Spa Regulatory Fund .....	41
From State Forensic Laboratory Fund .....	2,395
From Services to Victims' Fund .....	27,245
From Natural Resources Protection Fund-Air Pollution Permit Fee Subaccount .....	128,119
From Missouri Main Street Program Fund .....	484
From Health Professional Student Loan and Loan Repayment Program Fund .....	124
From Video Instructional Development and Educational Opportunity Fund .....	4,926

From Missouri Job Development Fund . . . . .	54,828
From Children's Service Commission Fund . . . . .	9
From Attorney General's Court Costs Fund . . . . .	579
From Missouri Breeders Fund . . . . .	39
From Public Service Commission Fund . . . . .	247,942
From Apple Merchandising Fund . . . . .	35
From Department of Revenue Information Fund . . . . .	24,825
From Department of Social Services Educational Improvement Fund . . . . .	86,891
From Tort Victims Compensation Fund . . . . .	1,018
From Livestock Dealer Law Enforcement and Administration Fund . . . . .	51
From Healthy Families Trust Fund . . . . .	2,513,684
From Board of Accountancy Fund . . . . .	8,595
From Board of Barber Examiners Fund . . . . .	1,667
From Board of Podiatric Medicine Fund . . . . .	203
From Board of Chiropractic Examination Fund . . . . .	4,494
From Merchandising Practices Revolving Fund . . . . .	22,752
From Board of Cosmetology Fund . . . . .	8,716
From Board of Embalmers and Funeral Directors Fund . . . . .	2,437
From Board of Registration for Healing Arts Fund . . . . .	52,705
From Board of Nursing Fund . . . . .	66,171
From Board of Optometry Fund . . . . .	1,102
From Board of Pharmacy Fund . . . . .	21,185
From Missouri Real Estate Commission Fund . . . . .	29,285
From Veterinary Medical Board Fund . . . . .	3,419
From Milk Inspection Fees Fund . . . . .	15,511
From Department of Health Document Services Fund . . . . .	741
From Grain Inspection Fees Fund . . . . .	34,345
From Petition Audit Revolving Trust Fund . . . . .	2,867
From Tourism Marketing Fund . . . . .	13
From Excellence in Education Fund . . . . .	19,962
From Workers' Compensation Fund . . . . .	181,213
From Second Injury Fund . . . . .	396,522
From Department of Health-Donated Fund . . . . .	13,758
From Railroad Expense Fund . . . . .	10,713
From Groundwater Protection Fund . . . . .	9,838
From Petroleum Inspection Fund . . . . .	43,468
From Infrastructure Development Fund . . . . .	4,626
From Attorney General's Antitrust Fund . . . . .	4,631
From Energy Set-Aside Program Fund . . . . .	35,794
From State Land Survey Program Fund . . . . .	27,291
From Petroleum Violation Escrow Fund . . . . .	61,460
From Legal Defense and Defender Fund . . . . .	10,341
From Criminal Record System Fund . . . . .	26,252
From Committee on Professional Counselors Fund . . . . .	4,088
From Highway Patrol Academy Fund . . . . .	4,423
From Hazardous Waste Fund . . . . .	43,463
From Dental Board Fund . . . . .	10,948
From State Board of Architects, Engineers, and Land Surveyors Fund . . . . .	16,965
From Safe Drinking Water Fund . . . . .	47,938
From Missouri Office of Prosecution Services Fund . . . . .	2,952
From Crime Victims' Compensation Fund . . . . .	54,023
From Marketing Development Fund . . . . .	7,232
From Coal Mine Land Reclamation Fund . . . . .	1,754
From State Elections Subsidy Fund . . . . .	4,645



From Professional Registration Fees Fund .....	68,753
From Hazardous Waste Remedial Fund .....	37,946
From Missouri Air Pollution Control Fund .....	7,889
From State Legal Expense Fund .....	21,065
From Athletic Fund .....	1,218
From Children's Trust Fund .....	31,339
From Highway Patrol's Motor Vehicle and Aircraft Revolving Fund .....	55,864
From Meramac-Onondaga State Parks Fund .....	672
From Proceeds of Surplus Property Sales Fund .....	12,400
From ADA Compliance Fund .....	4,316
From Confederate Memorial Park Fund .....	47
From Marital and Family Therapists Fund .....	226
From Library Networking Fund .....	3,315
From Organ Donor Program Fund .....	4,023
From Child Labor Enforcement Fund .....	854
From Inmate Incarceration Reimbursement Act Revolving Fund .....	1,063
From Secretary of State's Investor Education Fund .....	211
From Property Reuse Fund .....	1,436
From State Court Administration Revolving Fund .....	117
From Respiratory Care Practitioners Fund .....	1,624
From Concentrated Animal Feeding Operation Indemnity Fund .....	225
From State Document Preservation Fund .....	49
From Light Rail Safety Fund .....	116
From Student Grant Fund .....	60,623
From Academic Scholarship Fund .....	55,558
From State Transportation Assistance Revolving Fund .....	5,528
From Criminal Justice Network and Technology Revolving Fund .....	12,810
From Missouri Office of Prosecution Services Revolving Fund .....	863
From Missouri Board of Occupational Therapy Fund .....	2,739
From Judiciary Education and Training Fund .....	17,058
From Missouri Supplemental Tax Increment Financing Fund .....	972
From Bridge Scholarship Fund .....	4
From Domestic Relations Resolution Fund .....	1,292
From Correctional Substance Abuse Earnings Fund .....	552
From Missouri Wine Marketing and Research Development Fund .....	97
From Advantage Missouri Trust Fund .....	14,538
From Dietitian Fund .....	579
From Missouri College Guarantee Fund .....	32,851
From Early Childhood Development, Education and Care Fund .....	114,648
From Escheats Fund .....	9,967
From Abandoned Fund .....	312,629
From Champ W. Smith & Mary C. Smith Memorial Endowment Trust Fund .....	172
From Interior Designer Council Fund .....	124
From Kids' Chance Scholarship Fund .....	27
From Massage Therapy Fund .....	1,856
From Premium Fund .....	2,636
From Missouri Public Broadcasting Corporation Special Fund .....	2,178
From Fine Collections Center Interest Revolving Fund .....	62
From Assistive Technology Loan Revolving Fund .....	29
From Petroleum Violation Escrow Interest Subaccount Fund .....	5,156
From World War II Memorial Trust Fund .....	66
From Blindness Education, Screening and Treatment Program Fund .....	701
From Dry-cleaning Environmental Response Trust Fund .....	1,289
From Missouri National Guard Trust Fund .....	29,366

From Agriculture Development Fund .....	3,357
From Alternative Care Trust Fund .....	81,951
From Missouri State Employees' Voluntary Life Insurance Fund .....	7,796
From Mined Land Reclamation Fund .....	7,668
From Babler State Park Fund .....	5,308
From School for the Blind Trust Fund .....	15,136
From School for the Deaf Trust Fund .....	307
From Institution Gift Trust Fund .....	477
From Mental Health Institution Gift Trust Fund .....	71,548
From Secretary of State-Wolfner State Library Fund .....	3,447
From Secretary of State Institution Gift Trust Fund .....	2,700
From Special Employment Security Fund .....	23,156
From Crippled Children Fund .....	487
From State Fair Trust Fund .....	31
From Aviation Trust Fund .....	43,377
From Pansey Johnson-Travis Memorial State Garden Trust Fund .....	17
Total .....	\$13,526,928".

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

Representative Green (73) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1115, Section 15.090, Line 4, by adding after said section and line the following:

“Section 15.093. To the Department of Public Safety  
For the Capitol Police

Expense and Equipment  
From General Revenue Fund ..... \$202,500".

On motion of Representative Green (73), **House Amendment No. 2** was adopted.

Representative Campbell offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1115, Page 2, Section 15.020, Line 6, by deleting the number “993,369” and inserting in lieu thereof the number “**1,401,369**”.

On motion of Representative Campbell, **House Amendment No. 3** was adopted.

Representative Naeger offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1115, Page 5, Section 15.165, Lines 3-5, by deleting said lines and inserting in lieu thereof the following lines:

“Personal Service .....	\$319,328
Professional Services .....	1,703,384
Expense and Equipment .....	211,909
From Missouri Senior Rx Fund .....	\$2,234,621"; and

Further amend said section by inserting the following after the above lines:

“If the enrollment fee collections exceed the originally projected enrollment revenues, the Commission shall be authorized to spend from such collections to cover the cost of third party administration.

Expense and Equipment	
From Missouri Senior Rx Fund .....	\$1 E”; and

Further amend said bill, Page 6, Section 15.170, Line 7, by deleting the number “\$2,069,873” and inserting in lieu thereof the number “\$2,352,773”.

On motion of Representative Naeger, **House Amendment No. 4** was adopted.

Speaker Pro Tem Abel assumed the Chair.

Representative Byrd offered **House Amendment No. 5**.

**House Amendment No. 5** was withdrawn.

On motion of Representative Green (73), **HCS HB 1115, as amended**, was adopted.

On motion of Representative Green (73), **HCS HB 1115, as amended**, was ordered perfected and printed.

Speaker Kreider resumed the Chair.

### PERFECTION OF HOUSE BILL

**HCS HB 1877**, relating to funding for schools, was taken up by Representative Foley.

Representative Foley offered **HS HCS HB 1877**.

Representative Boucher offered **House Amendment No. 1**.

Representative Scheve raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Shields offered **House Amendment No. 1**.

Representative Franklin raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hegeman offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1877, Page 28, Section 144.190, Line 2 of said page, by deleting all of said line and inserting in lieu thereof the following:

**"3. Except as provided in subsection 6 of this section, if any tax was paid more than once, was incorrectly"; and**

Further amend said bill, Page 29, Section 144.190, Line 23 of said page, by inserting immediately after said line the following:

**"6. In lieu of subsection 3 of this section, if any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, or refunded, with interest as determined by section 32.065, RSMo, to the person legally obligated to remit the tax, only if duplicate copies of a claim for refund are filed within three years from date of overpayment and the person legally obligated to remit the tax submits a plan between the person and the director to generally refund the amount of overpayment in equal installments to future customers of the person by mutually agreed to distribution of a fixed value coupon to such customers."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hegeman, **House Amendment No. 1** was adopted.

**HCS HB 1877, with HS, as amended, pending,** was laid over.

On motion of Representative Crump, the House recessed until 2:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 715 - Representative Wright  
House Resolution No. 716 - Representative Rector  
House Resolution No. 717 - Representative Villa  
House Resolution No. 718 - Representative Jetton  
House Resolution No. 719 - Representative Bray  
House Resolution No. 720 - Representative Gaskill  
House Resolution No. 721 - Representative Richardson  
House Resolution No. 722  
and  
House Resolution No. 723 - Representative Moore  
House Resolution No. 724 - Representatives Fares and Hanaway

House Resolution No. 725 - Representative Moore  
House Resolution No. 726 - Representative Gambaro

Representative Smith assumed the Chair.

### PERFECTION OF HOUSE BILL

**HCS HB 1877, with HS, as amended, pending**, relating to funding for schools, was again taken up by Representative Foley.

Representative Marble offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1877, Page 30, Section 144.190, Line 6, by placing a bracket before the word “deposited”; and

Further amend said bill, Page 30, Section 144.190, Line 8, by placing a bracket after the number “313.822” and adding after the bracket the following: “**Distributed equally to all school districts on a per pupil basis**”.

Representative Foley raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Kreider resumed the Chair.

Representative Marble moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Gratz	Green 15
Griesheimer	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holt	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Vogel	Wright			

NOES: 082

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Johnson 61	Johnson 90	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Reid	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Hanaway	Jolly	Nordwald	Relford
Richardson				

VACANCIES: 003

Representative O'Toole offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1877, Page 8, Section 143.431, Line 19 of said page, by inserting after "**143.451**," the following:

**"and from the disallowance of a timely filing discount for remitters of income tax withholding payments pursuant to the repeal of section 143.261,"; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative O'Toole, **House Amendment No. 3** was adopted.

Representative Froelker offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill No. 1877, Page 27, Section 144.190, Line 22, by deleting "32.065" and inserting in lieu thereof "**32.068**"; and

Further amend said bill, Page 28, Section 144.190, Page 6, by deleting "32.065" and inserting in lieu thereof "**32.068**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Froelker, **House Amendment No. 4** was adopted.

Representative Barry offered **House Amendment No. 5**.

Representative Scheve raised a point of order that **House Amendment No. 5** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Froelker offered **House Amendment No. 5**.

Representative Gambaro raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Foley, **HS HCS HB 1877, as amended**, was adopted by the following vote:

AYES: 090

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Monaco	Moore	Murphy
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Reid	Reynolds	Rizzo	Robirds	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 065

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Froelker
Gaskill	Griesheimer	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	May 149	Mayer
Merideth	Miller	Myers	Naeger	Nordwald
Phillips	Portwood	Purgason	Quinn	Rector
Reinhart	Richardson	Ridgeway	Roark	Ross

Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Bowman	Hanaway	Ostmann	Relford
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VACANCIES: 003

On motion of Representative Foley, **HS HCS HB 1877, as amended**, was ordered perfected and printed.

### PERFECTION OF HOUSE BILLS - INFORMAL

**HB 1592**, relating to workers memorial fund, was taken up by Representative Hickey.

Speaker Pro Tem Abel resumed the Chair.

Representative Froelker offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 1592, Page 1, Section 143.1018, Line 3, by deleting the words "**one dollar**" and inserting in lieu thereof the following: "**two dollars**"; and

Further amend said bill, Page 1, Section 143.1018, Line 4, by deleting all of said line and inserting in lieu thereof the following:

**"of two dollars on a single return, and four dollars or any amount in excess of four dollars on";** and

Further amend said bill, Page 2, Section 143.1018, Line 25, by inserting after all of said line the following:

**"5. This section shall expire January 1, 2008.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Froelker, **House Amendment No. 1** was adopted.

Representative Lograsso offered **House Amendment No. 2**.

Representative Hickey raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Hickey, **HB 1592, as amended**, was ordered perfected and printed.



**HCS HBs 1344 & 1944**, relating to firearms, was taken up by Representative Crump.

Representative Hickey offered **House Amendment No. 1**.

**House Amendment No. 1** was withdrawn.

Representative Riback Wilson (25) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1344 & 1944, Page 3, Section 571.030, Line 87, by inserting after all of said line the following:

**"571.068. A person commits the crime of unlawful possession of a firearm if such person is listed in 18 U.S.C. Section 922(g)(8) and (9) and has a firearm or ammunition in his or her possession. Any person who violates this section shall be subject to the penalty set forth in 18 U.S.C. Section 924(a)(2)."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Scott raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Riback Wilson (25) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Ward offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 1344 & 1944, Page 2, Section 571.030, Line 44, by placing brackets around the second occurrence of the word **"and"**; and

Further amend said bill, Page 2, Section 571.030, Line 46, by inserting after all of said line the following:

**"[.]; and**

**(9) Any retired peace officer holding a valid permit to carry a concealed firearm pursuant to section 571.096."; and**

Further amend said bill, Page 3, Section 571.030, Line 87, by inserting after all of said line the following:

**"571.096. 1. A permit for a retired peace officer to carry a concealable firearm shall be issued by the sheriff of the county in which the applicant resides, if all of the statements in the application are true, and the applicant:**

- (1) Is a citizen of the United States and has resided in this state for at least six months;**
- (2) Has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an**

explosive weapon, firearm, firearm silencer, or gas gun;

(3) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(4) Has not been discharged under dishonorable conditions from the United States armed forces;

(5) Is not publicly known to be habitually in an intoxicated or drugged condition;

(6) Is not currently adjudged mentally incompetent and has not been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state; and

(7) Is a retired peace officer having completed a minimum of fifteen years service and terminating service in good standing whether in this state or another state and who is currently licensed as a peace officer pursuant to chapter 590, RSMo.

2. A permit for a retired peace officer to carry a concealable firearm shall initially be issued for a period of three years and renewed for a period of three years by the sheriff of the county in which the applicant resides if the applicant satisfies all the requirements of subsection 1 of this section. All costs associated with obtaining or renewing a permit for a retired peace officer to carry a concealable weapon, including but not limited to, the cost of background checks and certifications and continuing education shall be borne by the applicant.

3. Applications shall be made to the sheriff of the county in which the applicant resides. An application shall be filed in writing, signed and verified by the applicant, and shall state only the following: the name, Social Security number, occupation, age, height, color of eyes and hair, residence and business addresses, if any, of the applicant, the reason for desiring the permit, and whether the applicant complies with each of the requirements specified in subsection 1 of this section. The applicant shall also submit documentation signed by a licensed physician and no less than thirty days old that the applicant is in good physical and mental health.

4. Before a permit is issued or renewed, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application, but must conduct a criminal background check. The sheriff may require that the applicant display a Missouri operator's license or other suitable identification. The sheriff shall issue or renew the permit within a period not to exceed seven days after submission of the properly completed application excluding Saturdays, Sundays, or legal holidays. The sheriff may refuse to issue or renew the permit if he or she determines that any of the requirements specified in subsection 1 of this section have not been met, has reason to believe that the applicant has rendered a false statement regarding any of the provisions in subsection 1 of this section, or if the applicant fails to provide documentation of good physical and mental health pursuant to subsection 2 of this section. If the application is approved, the sheriff shall issue or renew a permit and give a copy thereof to the applicant. A permit shall be automatically and immediately revoked if the holder violates any of the requirements to obtain a permit, fails to maintain licensing as a peace officer, or if the holder's peace officer license is revoked or suspended pursuant to section 590.135, RSMo, or if any of the causes for revocation or suspension itemized at subsection 2 of section 590.135, RSMo, occur.

5. The permit shall recite the date of issuance, the name and address of the person to whom granted, and a physical description of the applicant. The applicant shall sign the permit in the presence of the sheriff.

6. The sheriff shall keep a record of all applications for permits, and his or her action thereon.

7. No person shall in any manner transfer, alter, or change a permit, or make a false notation thereon, or obtain a permit upon any false representation, or use, or attempt to use a permit issued to another.

8. For the processing of the permit, the sheriff in each county and the city of St. Louis shall charge a fee not to exceed twenty-five dollars for an initial three-year permit, and a fee not to exceed twenty-five dollars to renew an existing permit for another three years, which shall be paid into the county crime reduction fund, if such is established by the county, otherwise into the general revenue fund.

9. In any case when the sheriff refuses to issue, or renew, or to act on an application for a permit, such refusal shall be in writing setting forth the reasons for such refusal. Such written refusal shall explain the denied applicant's right to appeal and, with a copy of the completed application, shall be given to the denied applicant within a period not to exceed seven days after submission of the properly completed application excluding Saturdays, Sundays or legal holidays. The denied applicant shall have the right to appeal the denial within ten days of receiving written notice of the denial. Such appeals shall be heard in small claims court as defined in section 482.300, RSMo, and the provisions of sections 482.300, 482.310, and 482.335, RSMo, shall apply to such

appeals.

10. A denial of or refusal to act on an application for permit may be appealed by filing with the clerk of the small claims court a copy of the sheriff's written refusal and a form substantially similar to the appeal form provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

**SMALL CLAIMS COURT**

In the Circuit Court of ..... Missouri

Case Number .....

....., Denied Applicant

)

)

vs.

)

)

....., Sheriff

)

Return Date .....

**DENIAL OF PERMIT APPEAL**

The denied applicant states that his properly completed application for a permit to carry a firearm with a barrel of less than sixteen inches was denied by the sheriff of ..... County, Missouri, without just cause. The denied applicant affirms that all of the statements in the application are true.

.....

**Denied Applicant**

11. The notice of appeal in a denial of permit appeal shall be made to the sheriff in a manner and form determined by the small claims court judge.

12. If at the hearing the person shows he is entitled to the requested permit, the court shall issue an appropriate order to cause the issuance of the permit. Costs shall not be assessed against the sheriff in any case.

13. Any person aggrieved by any final judgment rendered by a small claims court in a denial of permit appeal may have a trial de novo as provided in sections 512.180 to 512.320, RSMo.

14. Violation of any provision of this section is a class A misdemeanor."; and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

Representative Britt assumed the Chair.

Representative Lograsso offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1344 & 1944, Page 2, Section 571.096, Line 1 of said page, by deleting the words "**other than a crime**"; and by deleting all of Lines 2, 3, 4 and 5 of said page; and

Further amend said bill, section and page, Line 9, by deleting the words "**other than a crime**"; and by deleting all of Lines 10, 11, 12 and 13 of said page; and

Further amend said bill, section and page, Line 25, by adding at the end of said line the following:

**“8. Has not pled guilty to or been convicted of domestic assault; and  
9. Does not have an active full order of protection pending against them wherein the applicant has been barred from possessing a firearm.”.**

On motion of Representative Lograsso, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Cooper offered **House Amendment No. 2 to House Amendment No. 2.**

Representative Johnson (90) raised a point of order that **House Amendment No. 2 to House Amendment No. 2** amends previously amended material.

Representative Johnson (90) raised an additional point of order that **House Amendment No. 2 to House Amendment No. 2** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the first point of order not well taken.

The Parliamentary Committee ruled the second point of order well taken.

Representative Hollingsworth offered **House Amendment No. 2 to House Amendment No. 2.**

*House Amendment No. 2  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 1344 & 1944, Page 3, Section 571.096, Line 16 of said page, by deleting the word “**may**” and inserting in lieu thereof the word “**shall**”; and

Further amend said amendment, Page 3, Section 571.096, Line 17, by inserting the word “**valid**” immediately after the word “**a**”; and

Further amend said amendment, Page 3, Section 571.096, Line 18, by inserting the word “**photo**” immediately after the word “**suitable**”.

On motion of Representative Hollingsworth, **House Amendment No. 2 to House Amendment No. 2** was adopted.

On motion of Representative Ward, **House Amendment No. 2, as amended**, was adopted.

**HCS HBs 1344 & 1944, as amended**, was laid over.

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1115**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker, Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1265** and **HB 1412**, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the committee of origin to place said bills on the House Consent Calendar for Third Reading and Final Passage.

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 1306**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Municipal Corporations**, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Social Services, Medicaid and the Elderly**, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1654** and **HB 1156**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Tourism, Recreation and Cultural Affairs**, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 30** - Social Services, Medicaid and the Elderly

### REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 1034** - Education-Elementary and Secondary
- HB 1933** - Professional Registration and Licensing
- HB 2114** - Agriculture
- HB 2122** - Ways and Means
- HB 2127** - Public Safety, Law Enforcement and Veteran Affairs
- HB 2130** - Municipal Corporations
- HB 2133** - Motor Vehicle and Traffic Regulations
- HB 2142** - Miscellaneous Bills & Resolutions

### INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 31**, introduced by Representatives Enz, Hendrickson, Griesheimer and Dempsey, et al, to request the State Auditor to conduct an audit of the Gateway Clean Air Program.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2143**, introduced by Representative Clayton, relating to central dispatching for emergency services.

**HB 2144**, introduced by Representative O'Toole, relating to police retirement systems.

**HB 2145**, introduced by Representative Curls, relating to special license plates.

**HB 2146**, introduced by Representatives Campbell and Smith, relating to escheats.

**HB 2147**, introduced by Representative Portwood, relating to prohibition of arrest and prosecution of certain persons for drug offenses.

**HB 2148**, introduced by Representative Portwood, relating to festival licenses.

**HB 2149**, introduced by Representative Portwood, relating to involuntary manslaughter.

**HB 2150**, introduced by Representative Shoemyer (9), relating to genetically modified organisms.

**HB 2151**, introduced by Representative Kreider, relating to collecting taxes for emergency telephone service.

**HB 2152**, introduced by Representative Kelly (36), relating to compulsory age for school attendance.

**HB 2153**, introduced by Representative Kelly (36), relating to compulsory age for school attendance.

**HB 2154**, introduced by Representative Froelker, relating to the transfer of human fetal parts.

**HB 2155**, introduced by Representatives Willoughby and Phillips, relating to regional child assessment centers.

**HB 2156**, introduced by Representative Kreider, relating to merchandising practices.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 988**, entitled:

An act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to commercial zones.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1071**, entitled:

An act to repeal sections 413.005, 413.015, 413.055, 413.065, 413.075, 413.085, 413.115, 413.125, 413.135, 413.145, 413.155, 413.165, 413.225, 413.227 and 413.229, RSMo, relating to weights and measures, and to enact in lieu thereof fifteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1086 & 1126**, entitled:

An act to repeal section 71.285, RSMo, and to enact in lieu thereof one new section relating to removal of weeds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 36**.

### SENATE CONCURRENT RESOLUTION NO. 36

WHEREAS, the Joint Interim Committee on Education Funding created by Senate Concurrent Resolution No. 26 enacted in the First Regular Session of the Ninety-first General Assembly ceased to exist on January 15, 2002; and

WHEREAS, the Joint Interim Committee on Education Funding was charged with an in-depth review of education finance in this state; and

WHEREAS, by its very nature, education funding is a complex subject that has many interlocking elements that are seldom understood in their entirety; and

WHEREAS, with the best efforts of the Joint Interim Committee on Education Funding, the foundation for further study has been created, but in-depth study will require more time; and

WHEREAS, institutional knowledge of the issues involved in education funding is dwindling, making an in-depth study even more difficult as time passes:

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, that the Joint Interim Committee on Education Funding be reconstituted with substantially the same membership in a timely fashion so that the in-depth study contemplated in Senate Concurrent Resolution No. 26 enacted in the First Regular Session of the Ninety-first General Assembly may continue and be completed in time to present a thoughtful study and recommendations for future action to the members of the Ninety-second General Assembly so that the constitutional requirement that designates education as the state's first priority in public policy may continue to be fulfilled.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 44**.

SENATE CONCURRENT RESOLUTION NO. 44

WHEREAS, the state of Missouri borders 488 miles of the Mississippi River; and

WHEREAS, many of Missouri's locks and dams are more than 60 years old and only 600 feet long, making them unable to accommodate modern barge tows of 1,200 feet long, nearly tripling locking times and causing lengthy delays and ultimately increasing shipping costs; and

WHEREAS, the use of 1,200-foot locks has been proven nationwide as the best method of improving efficiency, reducing congestion and modernizing the inland waterways; and

WHEREAS, the construction of the lock and dam system has spurred economic growth and a higher standard of living in the Mississippi and Illinois' river basin, and today supplies more than 300 million tons of the nation's cargo, supporting more than 400,000 jobs, including 90,000 in manufacturing; and

WHEREAS, more than 60 percent of American agricultural exports including corn, wheat, and soybeans, are shipped down the Mississippi and Illinois rivers on the way to foreign markets; and

WHEREAS, Missouri farmers, producers, and consumers rely on efficient transportation to remain competitive in a global economy, and efficiencies in river transport offset higher production costs compared to those incurred by foreign competitors; and

WHEREAS, the Upper Mississippi and Illinois lock and dam system saves our nation more than \$1.5 billion in higher transportation costs each year, and failing to construct 1,200-foot locks will cause farmers to use more expensive alternative modes of transportation, including trucks and trains; and

WHEREAS, according to the U.S. Army Corps of Engineers, congestion along the Upper Mississippi and Illinois rivers is costing Missouri and other producers and consumers in the basin \$98 million per year in higher transportation costs; and



WHEREAS, river transportation is the most environmentally friendly form of transporting goods and commodities, creating almost no noise pollution and emitting 35 to 60 percent fewer pollutants than either trucks or trains, according to the U.S. EPA; and

WHEREAS, moving away from river transport would add millions of trucks and rail cars to our nation's infrastructure, adding air pollution, traffic congestion, and greater wear and tear on highways; and

WHEREAS, backwater lakes created by the lock and dam system provide breeding grounds for migratory waterfowl and fish; and

WHEREAS, the lakes and 500 miles of wildlife refuge also support a \$1 billion-a-year recreational industry, including hunting, fishing, and tourism jobs; and

WHEREAS, upgrading the system of locks and dams on the Upper Mississippi and Illinois rivers will provide 3,000 high-paying construction and related jobs over a 15-20 year period with health benefits, which will benefit, not only those directly employed, but the local health care systems and economies of the communities in which these individuals live and work; and

WHEREAS, in 1999 the state of Missouri shipped 18.8 million tons of commodities including grain, coal, chemicals, aggregates, and other products; and

WHEREAS, 38.6 million tons of commodities including grain, coal, chemicals, aggregates, and other products were shipped to, from, and within Missouri by barge, representing \$4.2 billion in value; and

WHEREAS, shippers moving by barge in Missouri realized a savings of approximately \$380 million compared to other transportation modes; and

WHEREAS, Missouri docks shipped products by barge to 18 states and received products from 17 states; and

WHEREAS, the Port of Metropolitan St. Louis shipped and received 32.6 million tons of commodities in 1999 worth over \$5 billion and is the second busiest inland port in the United States, linking rural Missouri and St. Louis with world markets; and

WHEREAS, there are approximately 183 manufacturing facilities, terminals, and docks on the waterways of Missouri, representing thousands of jobs in the state; and

WHEREAS, the Missouri General Assembly recognizes the importance of inland waterway transportation to Missouri agriculture and industry in the state, the region, and the nation:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Congress of the United States to authorize funding for modernization of lock and dam infrastructure in order to construct 1,200-foot locks on the Upper Mississippi and Illinois Rivers' Inland Waterways Transportation System; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, the Chair of the Senate Committee on Commerce, Science and Transportation, the Chair of the House Committee on Transportation and Infrastructure and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 46**:

SENATE CONCURRENT RESOLUTION NO. 46

WHEREAS, H.R. 3113, the TANF Reauthorization Act of 2001, was introduced in the United States House of Representatives on October 12, 2001, which would reform the Temporary Assistance for Needy Families program to make it clear that the program's principal focus is the long-term reduction of poverty rather than a short-term immediate reduction in the welfare rolls; and

WHEREAS, H.R. 3113 would also make it clear that postsecondary education is a work activity under the TANF program by providing access to postsecondary education for TANF recipients as a permissible work activity; and

WHEREAS, in the United States, education has always been a route to economic self-sufficiency and social mobility; and

WHEREAS, in the twenty-first century, at least one year of postsecondary education will become increasingly more essential for all workers; and

WHEREAS, TANF does not currently extend our nation's commitment to educational opportunity to persons living in poverty with their children, but who are ready, willing, and able to benefit from postsecondary education; and

WHEREAS, data from several studies has demonstrated that the additional earning capacity that a postsecondary education provides can make the difference between economic self-sufficiency and continued poverty for many TANF recipients; and

WHEREAS, among families headed by African American, Latino, and Caucasian women, the poverty rate declines from fifty-one, forty-one, and twenty-two percent to twenty-one, eighteen and one-half, and thirteen percent, respectively, with at least one year of postsecondary education; and

WHEREAS, further data has found that postsecondary education not only increases incomes, it also improves self-esteem, increases children's education ambitions, including aspiring to enter postsecondary education themselves, and has a dramatic impact on quality of life; and

WHEREAS, now more than ever TANF recipients need postsecondary education to obtain the knowledge and skills required to compete for jobs and enable them to lift themselves and their children out of poverty in the long-term; and

WHEREAS, without some postsecondary education, most women who leave welfare for employment will earn wages that place them far below the federal poverty level, even after five years of employment; and

WHEREAS, allowing TANF recipients to attend postsecondary education, even for a short time, will improve their earning potential significantly, with the average person who attends a community college, even without graduating, earning approximately ten percent more than those persons who do not attend postsecondary education at all; and

WHEREAS, women who receive TANF assistance clearly appreciate the importance and role of postsecondary education in moving them out of poverty to long-term economic self-sufficiency; and

WHEREAS, as of November 1999, at least nineteen states had considered or enacted strategies to support recipient's efforts to achieve long-term economic self-sufficiency through the pursuit of postsecondary education:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, support H.R. 3113, the TANF Reauthorization Act of 2001; and

BE IT FURTHER RESOLVED that the General Assembly urges Missouri's Congressional delegation to support the passage of H.R. 3113, the TANF Reauthorization Act of 2001; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of Missouri's Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 47**:

SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE CONCURRENT RESOLUTION NO. 47

Relating to the Poultry Industry Committee.

WHEREAS, the poultry industry is a vital, profitable and important industry in this state; and

WHEREAS, the General Assembly wishes to maintain and enhance the positive economic impacts while making every attempt to eliminate negative aspects of the industry; and

WHEREAS, the poultry industry produces waste products which have significantly impacted the environment of the state; and

WHEREAS, there exists a need for a study of the economic and environmental impact of the poultry industry in the state, especially the impacts this industry has on sensitive environmental areas:

NOW, THEREFORE BE IT RESOLVED, that the members of the Missouri Senate, Ninety-First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby authorize the creation of a "Poultry Industry Committee" which shall review and evaluate both the economic impact of the poultry industry, waste disposal issues and environmental impacts of this industry, and make recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that such Committee shall be composed of twenty-seven members, one member to be a member of the Senate to be appointed by the President Pro Tem of the Senate, one member to be a member of the House of Representatives to be appointed by the Speaker of the House, two county commissioners or their designees, a representative from the Food and Agricultural Policy Research Institute (FAPRI), a representative of the Environmental Protection Agency (EPA), a representative of the Department of Natural Resources, a representative of the United States Department of Agriculture, a representative of the Natural Resources Conservation Services (NRCS), a representative of the university extension system, a representative of the poultry federation, a representative of the Missouri Farmer's Association, a representative of the Farm Bureau, a representative of the Department of Conservation, a representative of the University of Missouri Department of Agriculture, Food, and Natural Resources, a representative of the Southwest Missouri State University Department of Agriculture, a representative of the University of Missouri Commercial Agriculture Program, a member appointed by the Resource Conservation & Development Council, a representative of the Department of Economic Development, a representative of the Department of Agriculture, a representative of the Clean Water Commission, two active poultry farmers, two poultry industry contractors or processors, a person active in the processing/value-added portion of poultry waste, one person from Missouri Farm Credit Services. Each member of the Committee shall serve until December 31, 2003; and

BE IT FURTHER RESOLVED that the Committee may conduct its business by various means but shall meet no less than twice each year as a full Committee; and

BE IT FURTHER RESOLVED that all state agencies shall cooperate with the Committee in carrying out its duties, including allowing access to closed records, provided that the Committee shall not disclose any identifying information contained in such records closed pursuant to statute or general order and any such information in the custody of the Committee shall not be discoverable to the same extent as when in the custody of the parent agency; and

BE IT FURTHER RESOLVED that all members shall serve without compensation; and

BE IT FURTHER RESOLVED that the Office of Administration shall provide funding, administrative support, and staff for the effective operation of the Committee; and

BE IT FURTHER RESOLVED that the Committee shall study problems and solutions, collect information and provide recommendations in a report to the General Assembly before December 31, 2002;

BE IT FURTHER RESOLVED that the Committee shall submit its final report to the General Assembly no later than December 31, 2003; and

BE IT FURTHER RESOLVED that the Poultry Industry Committee shall terminate December 31, 2003; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 53**.

SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE CONCURRENT RESOLUTION NO. 53

WHEREAS, the state's child abuse and neglect hotline and investigation system pursuant to chapter 210, RSMo, was established to promote the safety of children and the integrity and preservation of their families through the conducting of investigations or family assessments and by providing services in response to reports of child abuse or neglect; and

WHEREAS, while the child abuse and neglect hotline system has been in place for many years, the general assembly has not made a comprehensive analysis of the system since its inception; and

WHEREAS, to ensure that the child abuse and neglect hotline system is in actuality promoting the safety of children, preserving families, and providing adequate services in response to reports of child abuse or neglect, a comprehensive analysis of the system should be made:

NOW, THEREFORE, BE IT RESOLVED by the members of the Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, that a Joint Interim Committee on Child Abuse and Neglect be created to be composed of five members of the House of Representatives, with three members to be appointed by the Speaker of the House of Representatives and two members appointed by the Minority Floor Leader of the House of Representatives, and five members of the Senate, with three members appointed by the President Pro Tem of the Senate and two members appointed by the Minority Floor Leader of the Senate; and

BE IT FURTHER RESOLVED that said committee make a comprehensive analysis of the child abuse and neglect hotline system established in chapter 210, RSMo, including the solicitation of information from appropriate state agencies, juvenile officers, law enforcement, and the public regarding the efficiency and effectiveness of the system, possible abuses in the system, complaints and grievances from persons affected by the system, and any recommendations for improvement of such system; and

BE IT FURTHER RESOLVED that the committee be authorized to hold hearings as it deems advisable, and that the staffs of House Research, Senate Research, and the Committee on Legislative Research provide such legal, research, clerical, technical and bill drafting services requested by the committee; and

BE IT FURTHER RESOLVED that the committee, its members, and any staff personnel assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the committee report its recommendations and findings to the Missouri General Assembly by January 1, 2003, and the authority of such committee shall terminate on December 31, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1004**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1106**, entitled:

An act to repeal sections 370.061 and 370.120, RSMo, relating to credit union commissioners, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Williams is no longer a member of the Children, Families and Health Committee.

Representative Ward is no longer a member of the Tourism, Recreation and Cultural Affairs Committee.

Representative Paone has been appointed a member of the Appropriations-General Administration Committee, Children, Families and Health Committee, Education-Higher Committee, Labor Committee, and Municipal Corporations Committee.

The following members' presence was noted: Berkstresser and Relford.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, March 13, 2002.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, March 13, 2002. Hearing Room 7 upon morning adjournment.

To be considered - HB 1967, HB 2037, HB 2058, HB 2063, HB 2065, HB 2097

#### **BANKS AND FINANCIAL INSTITUTIONS**

Wednesday, March 13, 2002. Side gallery upon morning adjournment.

Executive Session.

#### **BUDGET**

Wednesday, March 13, 2002, 8:00 a.m. Hearing Room 3. AMENDED.

Executive Session on previously heard bills.

To be considered - HB 1102, HB 1103, HB 1104, HB 1105, HB 1106

#### **BUDGET**

Wednesday, March 13, 2002. Hearing Room 3 upon morning adjournment. AMENDED.

Executive Session on previously heard bills.

To be considered - HB 1104, HB 1105, HB 1106, HB 1107, HB 1108

#### **BUDGET**

Wednesday, March 13, 2002, 7:00 p.m. Hearing Room 3.

Executive Session on FY 2003 budget bills.

#### **BUDGET**

Thursday, March 14, 2002, 8:00 a.m. Hearing Room 3.

Executive Session on FY 2003 budget bills.

#### **BUDGET**

Thursday, March 14, 2002. Hearing Room 3 upon morning adjournment.

Executive Session on FY 2003 budget bills.

#### **BUDGET**

Friday, March 15, 2002, 9:00 a.m. Hearing Room 3.

Executive Session on FY 2003 budget bills (if needed).

CHILDREN, FAMILIES, AND HEALTH

Thursday, March 14, 2002, 8:00 a.m. Hearing Room 5.

Executive Session.

To be considered - HB 1082, HB 1216, HB 1812, HB 2061

CIVIL AND ADMINISTRATIVE LAW

Thursday, March 14, 2002, 9:00 a.m. Hearing Room 1.

To be considered - Executive Session - HB 1621

COMMERCE AND ECONOMIC DEVELOPMENT

Wednesday, March 13, 2002. Side gallery upon evening adjournment.

Executive Session only.

CRIMINAL LAW

Wednesday, March 13, 2002, 8:00 p.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1948, HB 1954, HB 1955, HB 2029, HB 2032, HB 2056, HB 2059, HB 2062

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, March 13, 2002, 8:00 p.m. Hearing Room 6. AMENDED.

Executive Session may follow on: HBs 2018, 2023, 1916, 1809, 1973

To be considered - HB 1512, HB 1566, HB 1726, HB 1828, HB 1973, HB 2018, HB 2023

EDUCATION - HIGHER

Wednesday, March 13, 2002, 12:00 p.m. Hearing Room 5 upon morning adjournment or 12:00 p.m.

Possible Executive Session on any bills heard as of this date.

To be considered - HB 2022, HB 2047

ENVIRONMENT AND ENERGY

Thursday, March 14, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 2004, HB 2087

Executive Session - HB 1754

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, March 19, 2002, 8:30 a.m. Hearing Room 4.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 13, 2002, 8:30 a.m. Hearing Room 6. AMENDED.

Executive Session may follow.

To be considered - HB 1160, HB 1423, HB 1988, HB 2142, HCR 16

MUNICIPAL CORPORATIONS

Wednesday, March 13, 2002. Hearing Room 4 upon morning adjournment. AMENDED.

Executive Session.

To be considered - HB 2064, HB 2130

**PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, March 13, 2002. Hearing Room 4 upon afternoon adjournment.

Executive Session may follow.

To be considered - HB 2001, HB 2006, HB 2102

**SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Wednesday, March 13, 2002. Hearing Room 2 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1547, HB 1609

**TRANSPORTATION**

Wednesday, March 13, 2002. Hearing Room 6 upon morning adjournment. CORRECTED.

Executive Session to follow.

To be considered - HB 1506, HB 2026, HB 2115, HJR 29

**UTILITIES REGULATION**

Wednesday, March 13, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

To be considered - HB 1914

**HOUSE CALENDAR**

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 13, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 31

**HOUSE BILLS FOR SECOND READING**

HB 2143 through HB 2156

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1679 - Crump
- 2 HCS HB 1392 - Davis
- 3 HCS HB 1479 - Ladd Baker
- 4 HB 1496 - Green (73)
- 5 HCS HB 1440 - Riback Wilson (25)
- 6 HCS HB 1556 - Rizzo
- 7 HCS HB 1689 - Treadway
- 8 HCS HB 1898 - Campbell
- 9 HCS HB 1762 - Harding
- 10 HB 1748 - Ransdall
- 11 HB 1994 - Hosmer



- 12 HB 1851 - Curls
- 13 HB 1773 - Shelton
- 14 HCS HB 1654 & 1156 - Hosmer
- 15 HB 1306 - Williams

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1532 - Hoppe
- 4 HCS HB 1344 & 1944, as amended, - Crump

#### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3-7-02)

- 1 HB 1548 - Barry
- 2 HB 1473 - Green (15)
- 3 HB 1781 - Green (73)
- 4 HB 1194 - Gambaro
- 5 HB 1518 - Luetkenhaus
- 6 HB 1568 - Luetkenhaus
- 7 HB 1409 - Campbell
- 8 HB 1600 - Treadway
- 9 HB 1840 - Seigfreid
- 10 HB 1504 - Liese
- 11 HB 1852 - Villa
- 12 HB 1755 - Merideth
- 13 HB 1643 - Holand
- 14 HB 1861 - Burcham
- 15 HB 1032 - Portwood
- 16 HB 1313 - Burton
- 17 HB 1862 - May (149)

(3-13-02)

- 1 HB 1986 - Hosmer
- 2 HB 1196 - Barnett
- 3 HB 1041 - Myers

#### **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCS HCR 11, (3-7-02, pages 519 & 520) - Clayton
- 2 HCR 21, (3-7-02, page 521) - Boucher
- 3 HCR 20, (3-11-02, page 537) - Crump

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILL FOR THIRD READING - APPROPRIATIONS**

HCS HB 1115 - Green (73)

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HCS HB 1202 - Smith
- 4 HCS HB 1403 - St. Onge
- 5 HCS HB 1817 - Franklin

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford
- 6 HB 1714 - Hilgemann
- 7 HB 1205 - Seigfreid
- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith
- 13 HB 1412 - Skaggs
- 14 HB 1918 - Koller
- 15 HB 1265 - Gratz
- 16 HB 1242 - Griesheimer
- 17 HB 1075 - Nordwald
- 18 HB 1320 - Reid
- 19 HB 1515 - Burton
- 20 HB 1569 - Davis
- 21 HB 1795 - Berkowitz
- 22 HB 1849 - Barnitz
- 23 HB 1745 - Koller
- 24 HB 1400 - Merideth
- 25 HB 1141 - Naeger
- 26 HB 1270 - Gratz
- 27 HB 1822 - Walton

- 28 HB 1783 - Lowe
- 29 HB 1768 - Hosmer
- 30 HB 1814 - Monaco
- 31 HB 1712 - Monaco
- 32 HB 1895 - Carnahan
- 33 HB 1722 - Hosmer
- 34 HB 1779 - Green (73)
- 35 HB 1788 - Ross
- 36 HB 1778 - Monaco
- 37 HB 1789 - Ross
- 38 HB 1314 - Mays (50)
- 39 HB 1632 - O'Connor

#### **SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

- 1 SCR 36
- 2 SCR 44
- 3 SCR 46
- 4 SCS SCR 47
- 5 SCS SCR 53

#### **SENATE BILLS FOR SECOND READING**

- 1 SCS SB 988
- 2 SB 1004
- 3 SCS SB 1071
- 4 SCS SB 1086 & 1126
- 5 SCS SB 1106

#### **HOUSE RESOLUTIONS**

- 1 HR 150, (2-21-02, page 344) - Vogel
- 2 HCS HR 51, (3-7-02, pages 514 & 515) - Boykins
- 3 HR 278, (3-7-02, page 517) - Bonner
- 4 HR 262, (3-7-02, pages 516 & 517) - Williams
- 5 HR 341, (3-7-02, page 518) - Ladd Baker
- 6 HCS HR 361, (3-7-02, pages 518 & 519) - Hanaway
- 7 HR 318, (3-7-02, pages 517 & 518) - Crawford

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 13, 2002

Speaker Kreider in the Chair.

Prayer by Ralph Robinett, Sergeant at Arms.

Dear Lord, grant us the wisdom to find the things that are worthwhile in our service as legislators. Grant us the courage to fulfill the trust placed in us by the people and give our days glorious purpose in that service. Give us the spiritual strength to watch our tempers, our words and our actions, as we face the difficult challenges and decisions with the budget and other important issues. Fill our hearts with Your truth and love that will be seen in our devotion to serve others and empower us to live for Your glory, in Your name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Stephanie Tellis, Andrew W. Morton, Kristin J. Vaughan, Alyssa Vaughan, Zechariah Melton, Anthony Crawford, Ashley Bialczak, Erin Marshall, Timmy Klaus, Annie Johnson, Hayley John, Dillon Legan, Drew Legan, Christopher Parmley, Michael Parmley, Jenny Houchin, Andy Houchin, Rachel Crow, DeAndre Brooks, Danielle Schaefer and Allan Rassoolkhani.

The Journal of the thirty-sixth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 727 - Representative Smith  
House Resolution No. 728 - Representative May (149)  
House Resolution No. 729 - Representative Holand  
House Resolution No. 730  
through  
House Resolution No. 733 - Representatives Ross and Lograsso

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 31** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2143** through **HB 2156** were read the second time.

## SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**SCR 36, SCR 44, SCR 46, SCS SCR 47** and **SCS SCR 53** were read the second time.

## SECOND READING OF SENATE BILLS

**SCS SB 988, SB 1004, SCS SB 1071, SCS SBs 1086 & 1126** and **SCS SB 1106** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1592** and **HS HCS HB 1877**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

**HCS HCR 11**, relating to Mississippi River locks and dams, was taken up by Representative Clayton.

On motion of Representative Clayton, **HCS HCR 11** was adopted.

On motion of Representative Clayton, **HCS HCR 11** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger

Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Bray 84	Fraser	Harding	Wilson 25
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 004

Byrd	Gambaro	Harlan	Richardson
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VACANCIES: 003

Speaker Kreider declared the bill passed.

**HCR 21**, relating to veterans' services, was taken up by Representative Boucher.

On motion of Representative Boucher, **HCR 21** was read the third time and passed by the following vote:

AYES: 157

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald

O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Byrd	Gambaro
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VACANCIES: 003

Speaker Kreider declared the bill passed.

### **THIRD READING OF HOUSE BILL - APPROPRIATIONS**

**HCS HB 1115**, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Perfecting Amendment No. 1**.

#### *House Perfecting Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1115, Page 8, Section 15.220, Line 22, by deleting said line; and

Further amend said section, Page 10, Line 51, by deleting said line; and

Further amend said section, Page 12, Lines 122 and 123, by deleting said lines; and

Further amend said section, Line 153, by deleting said line; and

Further amend said section, Page 15, Lines 238 and 239, by deleting said lines.

On motion of Representative Green (73), **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Green (73), **HCS HB 1115, as amended**, was read the third time and passed by the following vote:

AYES: 121

Abel	Barnett	Barnitz	Barry 100	Bartle
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Clayton	Copenhaver	Crump
Cunningham	Curls	Daus	Davis	Fares
Farnen	Foley	Franklin	Fraser	Froelker
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Overschmidt
Paone	Purgason	Quinn	Ransdall	Reid
Relford	Reynolds	Richardson	Rizzo	Ross
Scheve	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 034

Ballard	Bartelsmeyer	Bearden	Behnen	Cierpiot
Cooper	Crawford	Crowell	Dempsey	Dolan
Enz	Gaskill	Griesheimer	Hanaway	Hendrickson
Hohulin	Hunter	Jetton	Linton	Lograsso
Long	Nordwald	Ostmann	Phillips	Portwood
Rector	Reinhart	Ridgeway	Roark	Robirds
Schwab	Secrest	Townley	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Byrd	Gambaro	Luetkemeyer	Wagner
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VACANCIES: 003

Speaker Kreider declared the bill passed.

### PERFECTION OF HOUSE BILL - INFORMAL

**HCS HBs 1344 & 1944, as amended**, relating to firearms, was taken up by Representative Crump.

Representative Villa offered **House Amendment No. 3**.



*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 1344 & 1944, Page 3, Section 571.030, Line 56, by inserting after the word “**state**” the following:

**“no firearm shall be left unattended in any passenger vehicle unless stored unloaded or in a dismantled state that renders the firearm inoperable”**; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 1344 & 1944, by inserting in the appropriate place the following:

**“Section 1. No firearm shall be left unattended in any passenger vehicle unless stored unloaded or in a dismantled state that renders the firearm inoperable”**; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Reid moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Villa moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Smith assumed the Chair.

Representative Scheve offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 1344 & 1944, Page 3, Section 571.030, Line 87, by inserting at the end of said line the following:

**“8. Any firearm owner transporting a concealable firearm under this section shall be guilty of a Class A misdemeanor if a minor gains access to a loaded firearm in a passenger compartment of any vehicle. However, if injury or death results, the gun owner shall be guilty of a Class D felony.”**; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Kreider resumed the Chair.

Representative Scheve moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 040

Baker	Barry 100	Bland	Boucher	Bowman
Boykins	Bray 84	Brooks	Campbell	Carnahan
Curls	Daus	Franklin	Fraser	Green 73
Hagan-Harrell	Harding	Harlan	Haywood	Hilgemann
Hollingsworth	Hoppe	Johnson 61	Jolly	Lowe
Paone	Reid	Reynolds	Rizzo	Scheve
Shelton	Skaggs	Thompson	Van Zandt	Villa
Walton	Williams	Wilson 25	Wilson 42	Wright

NOES: 113

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	Burcham
Burton	Byrd	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Froelker	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hohulin	Holt	Hosmer	Hunter
Jetton	Johnson 90	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Townley	Treadway	Troupe	Wagner	Ward
Whorton	Willoughby	Mr. Speaker		

PRESENT: 001

Fares

ABSENT WITH LEAVE: 006

Gambaro	Holand	Koller	Long	Richardson
Vogel				

VACANCIES: 003

Representative Bray offered **House Amendment No. 5**.

Representative Crump raised a point of order that **House Amendment No. 5** is dilatory.

Representative Crawford raised an additional point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the first point of order well taken.

The Chair ruled the second point of order not well taken.

Representative Fraser requested a division of the question on **HCS HBs 1344 & 1944, as amended.**

Representative Curls offered **House Amendment No. 1 to Part I.**

*House Amendment No. 1*

AMEND Part I of House Committee Substitute for House Bill Nos. 1344 & 1944, Page 2, Section 571.030, Line 50, by deleting “**to any person twenty-one years**” on said line; and

Further amend said bill, Page 2, Section 571.030, Lines 51 and 52, by deleting said lines; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Curls moved that **House Amendment No. 1 to Part I** be adopted.

Which motion was defeated.

Representative Lowe offered **House Amendment No. 2 to Part I.**

*House Amendment No. 2*

AMEND Part I of House Committee Substitute for House Bill Nos. 1344 & 1944, Page 3, Section 571.030, Line 56, by inserting after the word “**state**” the following:

“**Any person carrying a loaded, operable firearm in the passenger compartment of a motor vehicle shall maintain current liability insurance covering wrongful death or injury caused by the use or misuse of the firearm.**”; and

Further amend said bill by amending the title, enacting clause and intersectional reference accordingly.

Representative Lowe moved that **House Amendment No. 2 to Part I** be adopted.

Which motion was defeated.

Representative Wilson (42) offered **House Amendment No. 3 to Part I.**

*House Amendment No. 3*

AMEND Part I to House Committee Substitute for House Bill Nos. 1344 & 1944, Page 2, Section 571.030, Line 52, by inserting after the words “**motor vehicle**” on said line the following: “**unless a child under the age of seventeen is present in the vehicle.**”.

Representative Wilson (42) moved that **House Amendment No. 3 to Part I** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Barry 100	Bland	Boucher	Bowman	Boykins
Bray 84	Brooks	Byrd	Campbell	Carnahan
Curls	Daus	Foley	Franklin	Fraser
George	Harding	Harlan	Haywood	Hilgemann
Hollingsworth	Hoppe	Johnson 61	Jolly	Lowe
Paone	Reynolds	Rizzo	Scheve	Shelton
Skaggs	Thompson	Van Zandt	Villa	Walton
Williams	Wilson 25	Wilson 42		

NOES: 114

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	Burcham
Burton	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Froelker	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Holt	Hunter	Jetton
Johnson 90	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Townley	Treadway	Vogel	Wagner	Ward
Whorton	Willoughby	Wright	Mr. Speaker	

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 007

Baker	Gambaro	Green 73	Hosmer	McKenna
O'Connor	Reid			

VACANCIES: 003

Representative Griesheimer offered **House Amendment No. 4 to Part I**.

*House Amendment No. 4*

AMEND Part I of House Committee Substitute for House Bill Nos. 1344 & 1944, by inserting in the appropriate location the following:

"571.070 1. A person commits the crime of unlawful possession of a [concealable] firearm if he has any [concealable] firearm in his possession and:

(1) He has pled guilty to or has been convicted of a dangerous felony, as defined in section 556.061, RSMo, or of an attempt to commit a dangerous felony, or of a crime under the laws of any state or of the United States which, if committed within this state, would be a dangerous felony, or confined therefor in this state or elsewhere during the five-year period immediately preceding the date of such possession; or

(2) He is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent.

2. Unlawful possession of a [concealable] firearm is a class C felony."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Griesheimer, **House Amendment No. 4 to Part I** was adopted.

Representative Kelly (36) offered **House Amendment No. 5 to Part I**.

*House Amendment No. 5*

AMEND Part I of House Committee Substitute for House Bill Nos. 1344 & 1944, Page 2, Section 571.030, Line 30, by placing brackets around the word "possessing" and inserting immediately after said bracketed word the following:

**"whether on duty or off duty, anywhere in the state who possess"**.

On motion of Representative Kelly (36), **House Amendment No. 5 to Part I** was adopted.

Representative Bowman offered **House Amendment No. 6 to Part I**.

*House Amendment No. 6*

AMEND Part I of House Committee Substitute for House Bill Nos. 1344 & 1944, Page 3, Section 571.030, Line 8, by inserting immediately after said line the following:

**"8. Any individual who carries a concealable firearm within the passenger compartment of their motor vehicle shall provide information to the attorney general's office as to the vehicle identification number and description of the vehicle in which a firearm may be concealed. Such information shall be provided to the county sheriff, local enforcement and the Missouri State Highway Patrol."**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bowman moved that **House Amendment No. 6 to Part I** be adopted.

Which motion was defeated.

Representative Cunningham offered **House Amendment No. 7 to Part I**.

House Amendment No. 7

AMEND Part I of House Committee Substitute for House Bill Nos. 1344 & 1944, Page 3, Section 571.030, Line 87, by inserting after all of said line the following:

"8. This section shall become effective only in those counties in which the governing body of the county submits to the voters of the county, at a regularly scheduled countywide election, a proposal to implement the provisions of this section, or in which a petition, signed by a number of qualified voters residing in the county equal to eight percent of the votes cast in the county in the next preceding gubernatorial election, is filed with the governing body of the county requesting the submission of a proposal to implement the provisions of this section to the voters at a regularly scheduled countywide election. The governing body of the county shall give notice of the election by publication in a newspaper of general circulation in the county for two consecutive weeks, the last insert of which shall be within ten days of the election. The ballot of submission shall include, but not be limited to the following language:

Shall the county of ..... (County's name) enforce section 571.030, RSMo, the passenger compartment concealed carry law?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon in the county are in favor of the proposal, this section shall become effective in that county. If a majority of the votes cast on the proposal by the qualified voters voting thereon in the county are opposed to such proposal, this section shall not become effective in that county."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Cunningham moved that **House Amendment No. 7 to Part I** be adopted.

Which motion was defeated.

On motion of Representative Crump, **Part I of HCS HBs 1344 & 1944, as amended**, was adopted.

On motion of Representative Crump, **Part II of HCS HBs 1344 & 1944, as amended**, was adopted.

On motion of Representative Crump, **HCS HBs 1344 & 1944, as amended**, was ordered perfected and printed.

**SUPPLEMENTAL CALENDAR**

March 13, 2002

**HOUSE BILL FOR THIRD READING**

HS HCS HB 1877, E.C. - Foley

On motion of Representative Crump, the House recessed until 2:40 p.m.

## AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Barb Miller and Marvin Miller.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 734	-	Representative Rector
House Resolution No. 735	-	Representative Ross
House Resolution No. 736	-	Representative Reinhart
House Resolution No. 737	-	Representative Dempsey
House Resolution No. 738		
and		
House Resolution No. 739	-	Representative Vogel
House Resolution No. 740		
through		
House Resolution No. 753	-	Representative Treadway
House Resolution No. 754		
through		
House Resolution No. 767	-	Representatives Hendrickson and Enz
House Resolution No. 768		
through		
House Resolution No. 781	-	Representatives Hendrickson and Barry
House Resolution No. 782	-	Representatives Black and Crowell
House Resolution No. 783	-	Representative Bartle
House Resolution No. 784	-	Representative Mayer

## ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

**HCR 20**, relating to Arcadia Valley, was taken up by Representative Crump.

On motion of Representative Crump, **HCR 20** was read the third time and passed by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Byrd	Campbell
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambara	Gaskill
George	Green 15	Griesheimer	Hagan-Harrell	Hampton

Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Burton	Carnahan	Clayton	Curls	Froelker
Graham	Gratz	Green 73	Hickey	Hohulin
Holand	King	Lograsso	McKenna	Murphy
Purgason	Van Zandt	Williams		

VACANCIES: 003

Speaker Kreider declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HS HCS HB 1877**, relating to funding for schools, was taken up by Representative Foley.

On motion of Representative Foley, **HS HCS HB 1877** was read the third time and passed by the following vote:

AYES: 090

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Berkowitz	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Campbell	Carnahan	Clayton	Copenhaver	Crump
Curls	Daus	Davis	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Luetkenhaus
Marsh	Mays 50	McKenna	Monaco	Moore



Murphy	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Reid	Relford	Reynolds	Rizzo
Robirds	Scheve	Seigfreid	Selby	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Villa	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 068

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hegeman
Henderson	Hendrickson	Hohulin	Hunter	Jetton
Kelley 47	Kelly 144	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	May 149
Mayer	Merideth	Miller	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Richardson	Ridgeway
Roark	Ross	Schwab	Scott	Secrest
Shelton	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 002

Gratz	Troupe
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VACANCIES: 003

Speaker Kreider declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 092

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Berkowitz	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Farnen	Foley	Franklin
Fraser	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	King	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Reid	Relford	Reynolds	Rizzo
Robirds	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 063

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Fares	Froelker
Gaskill	Griesheimer	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	Kelly 144
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	May 149	Mayer	Miller	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Richardson
Ridgeway	Roark	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Burcham	Dolan	Gambaro	Hanaway	Holand
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VACANCIES: 003

Representative Carnahan requested a verification of the roll call on the motion to adopt the emergency clause on **HS HCS HB 1877**.

**HCS HB 1817**, relating to accountability for schools, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCS HB 1817** was read the third time and passed by the following vote:

AYES: 120

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Lawson	Liese	Lowe
Luetkenhaus	Marsh	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Naeger
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Quinn	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Secrest	Seigfreid	Selby	Shelton	Shields

Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 034

Ballard	Black	Boatright	Crowell	Enz
Gaskill	Griesheimer	Henderson	Hohulin	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Linton	Lograsso	Long	Luetkemeyer	Marble
May 149	Mayer	Myers	Nordwald	Ostmann
Portwood	Purgason	Rector	Richardson	Roark
Schwab	Scott	Townley	Troupe	

PRESENT: 000

ABSENT WITH LEAVE: 006

Boykins	Foley	Hickey	Koller	Scheve
Van Zandt				

VACANCIES: 003

Speaker Kreider declared the bill passed.

### PERFECTION OF HOUSE BILL - INFORMAL

**HCS HB 1532**, relating to intoxication torts, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS HB 1532**.

Representative Hoppe offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1532, Page 2, Section 537.053, Line 24 of said page, by deleting all of said line and inserting in lieu thereof the following: “**impairment is shown by significantly uncoordinated physical action**”; and

Further amend said bill, Page 3, Section 537.053, Lines 4 to 6 of said page, by deleting all of said lines and inserting in lieu thereof the following: “**section, but may be admissible as relevant evidence of the person’s intoxication.**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hoppe, **House Amendment No. 1** was adopted.

Representative Barnitz offered **House Amendment No. 2**.

Representative Monaco raised a point of order that **House Amendment No. 2** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Hoppe, **HS HCS HB 1532, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS HB 1532, as amended**, was ordered perfected and printed.

### **PERFECTION OF HOUSE BILLS**

**HB 1679**, relating to horse racing and pari-mutuel wagering, was placed on the Informal Calendar.

**HCS HB 1479**, relating to emergency preparedness resource act, was placed on the Informal Calendar.

**HB 1496**, relating to tax increment financing, was placed on the Informal Calendar.

**HCS HB 1440**, relating to health insurance, was placed on the Informal Calendar.

**HCS HB 1556**, relating to investment funds service corporations, was placed on the Informal Calendar.

**HCS HB 1689**, relating to professional registration, was placed on the Informal Calendar.

**HCS HB 1898**, relating to tax on retail pharmacies, was taken up by Representative Campbell.

Speaker Pro Tem Abel assumed the Chair.

Representative Portwood offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1898, Page 1, Section 338.500, Line 9, by inserting after the number "**338.210**" the following:

**"; except that, sections 338.500 to 338.550 shall not apply to any pharmacy doing business exclusively in mail order prescriptions."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Portwood moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Riback Wilson (25) assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Riback Wilson (25) resumed the Chair.

On motion of Representative Campbell, **HCS HB 1898** was adopted.

On motion of Representative Campbell, **HCS HB 1898** was ordered perfected and printed.

**HCS HB 1392**, relating to school district tax surcharges, was taken up by Representative Davis.

Representative Davis offered **HS HCS HB 1392**.

Speaker Kreider resumed the Chair.

Representative Holand offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1392, by adding after Page 15, Section 162.1172, Line 24, the following sections:

**"162.1174. 1. A majority of the school boards or one or more school boards with a majority of the student population in any county may impose, by order, a sales tax on all retail sales of up to one cent, in one-eighth cent increments, made in such county which are subject to taxation pursuant to sections 144.010 to 144.510, RSMo. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless there is submitted to the voters of the county, at a state general or primary election, a proposal to authorize the school boards to impose a tax.**

**2. The ballot of submission shall contain, but need not be limited to, the following language:**

**Shall the school districts of ..... (County name) impose a county-wide sales tax of ..... (Insert amount) for a period not to exceed ..... (Insert number) years for the purpose of ..... (Insert educational purpose)?**

☐ YES

☐ NO

**If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".**

**If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the school boards shall have no power to impose the sales tax authorized pursuant to this section unless and until the school boards shall again have submitted another proposal to authorize the imposition of the sales tax authorized by sections 162.1174 to 162.1178 and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal for approval of a sales tax be submitted to the voters pursuant to sections 162.1174 to 162.1178 sooner than ten months from the date of the last proposal submitted pursuant to sections 162.1174 to 162.1178 in the school district.**

**3. All revenue received by the school districts from the tax authorized pursuant to sections 162.1174 to 162.1178 shall be deposited in special trust funds for each school district in the county based on the number of the school district's pupils resident in the county as represented by the district's eligible pupil count used in the state aid payment calculation in the year of disbursement and shall be used by the school districts solely for the purpose described in the ballot for so long as the tax shall remain in effect. Once the tax authorized by sections 162.1174 to 162.1178 is abolished or is terminated by any means, all funds remaining in the special trust funds shall be used solely for activities initiated with revenues raised by the tax authorized by sections 162.1174 to**

162.1178.

4. The tax authorized by sections 162.1174 to 162.1178 shall terminate not more than five years from the effective date of such tax unless sooner abolished by the school boards. Once the tax authorized by sections 162.1174 to 162.1178 is abolished or is terminated by any means, the school boards shall have no power to impose the sales tax unless and until the school boards shall again have submitted another proposal to authorize the imposition of the sales tax authorized by sections 162.1174 to 162.1178 and such proposal is approved by a majority of the qualified voters voting thereon, but no proposal for the sales tax shall be submitted to the voters to become effective in less than four calendar quarters of the date the sales tax was abolished or terminated.

5. Moneys generated by a single county education sales tax may be used for property tax reduction in the manner described in section 162.1153, placing the purpose of the tax on the ballot.

162.1175. 1. School districts in contiguous counties may create a regional multicounty education sales tax district as provided in this section. The district may impose an education sales tax substantially in compliance with section 162.1174.

2. The school board of the district with the majority of the student population in a county or a majority of the school boards in a majority of the school districts in a contiguous county or counties may file with the county clerk of the county in which the greatest part of the proposed district's population resides a petition requesting the establishment of a regional multicounty education sales tax district. The petition shall include:

- (1) A description of the counties located within the proposed district;
- (2) The names of the school districts located within the proposed district;
- (3) The name of the proposed district;
- (4) The rate of proposed sales tax to be levied;
- (5) The duration of the tax;
- (6) The purposes of the tax; and
- (7) A request that the question be submitted to the voters residing within the proposed district to determine whether they will establish a regional multicounty education sales tax district pursuant to this section.

3. The question shall be submitted to the voters in the proposed district in substantially the following form:

Shall there be organized in the counties of ..... (County names) a regional multicounty education sales tax district, to be known as "....." (Insert name of district), for the purpose of ..... (Insert educational purpose)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the district shall be deemed organized. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the district shall not be organized unless and until the school boards shall again have submitted another proposal to authorize the organization of a regional multicounty education sales tax district and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal for approval of a sales tax be submitted to the voters pursuant to sections 162.1174 to 162.1178 sooner than ten months from the date of the last proposal submitted pursuant to sections 162.1174 to 162.1178 in the school district.

4. Pursuant to this section, the school board of the district with the majority of the student population in a county or a majority of the school boards in a majority of the school districts in a county or counties contiguous with a Missouri county with an established education sales tax pursuant to section 162.1174 may petition to establish a regional multicounty education sales tax district with the authority to impose an education sales tax at the identical rate of the established education sales tax for the remainder of its effective period. When such a district is established pursuant to this subsection, the distribution of the proceeds deriving from the regional multicounty district will be adjusted so that the per-pupil amount of the school districts in the county or counties petitioning for establishment of a district pursuant to this section shall not exceed one hundred fifty percent of the per-pupil amount the districts of the adjoining county would have received if the adjoining county's proceeds were considered separately.

5. Nothing in this section shall be construed to require contiguous counties whose voters have approved an educational sales tax to create a multicounty educational sales tax area, nor to require a county with an existing education sales tax to adopt an additional education sales tax upon establishment of a regional multicounty education sales tax district and imposition by the district of a regional education sales tax.

162.1176. 1. All sales taxes collected by the director of revenue pursuant to sections 162.1174 to 162.1178

on behalf of any school district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "School District Sales Tax Trust Fund". The collection fee shall be reduced to one-half of one percent in the third year and subsequent years, if any, of the tax. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each school district imposing a sales tax pursuant to sections 162.1174 to 162.1178, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the school district which levied the tax. Such funds shall be deposited with the treasurer of each such school district, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the school board. Districts shall deposit moneys from the trust fund in the teachers', incidental, or capital projects fund, at the discretion of the board. Such moneys may be transferred between such funds by the board. Such moneys shall not be used for the determination of salary compliance.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any school district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such school districts. If any school district abolishes the tax, the school board shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such school district, the director of revenue shall authorize the state treasurer to remit the balance in the account to the school district and close the account of that school district. The director of revenue shall notify each school district of each instance of any amount refunded or any check redeemed from receipts due the school district.

3. Except as modified in sections 162.1174 to 162.1178, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to sections 162.1174 to 162.1178.

162.1178. No revenue received by a school district from the tax authorized pursuant to sections 162.1174 to 162.1178 shall be included in calculating state aid pursuant to section 163.031, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

**HCS HB 1392, with House Amendment No. 1 and HS, pending, was laid over.**

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 1592** - Fiscal Review and Government Reform (Fiscal Note)
- HB 1232** - Local Government and Related Matters
- HB 2120** - Criminal Law
- HB 2135** - Social Services, Medicaid and the Elderly
- HB 2144** - Miscellaneous Bills & Resolutions
- HB 2145** - Motor Vehicle and Traffic Regulations
- HB 2151** - Civil and Administrative Law
- HB 2155** - Children, Families and Health
- HB 2156** - Critical Issues, Consumer Protection and Housing

**RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was re-referred to the Committee indicated:

**HCR 30** - Critical Issues, Consumer Protection and Housing

**COMMITTEE REPORTS**

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1837**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Budget**, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1953**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1926**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Education-Higher**, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 2022**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 2047**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1838**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1867**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1872**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.



Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1881**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1969**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 2008**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 2009**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 2025**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 2031**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 2123**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Ways and Means**, Chairman Hilgemann reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1890**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the first time and copies ordered printed:

**HCR 32**, introduced by Representative Barry, relating to Centers for Disease Control and Prevention and the American Academy of Pediatrics.

**HCR 33**, introduced by Representatives Robirds and Kelly (144), relating to the designation of "Ozark Mills Country".

**HCR 34**, introduced by Representative Riback Wilson (25), relating to approval for the Curators of the University of Missouri to enter into a long-term ground lease of certain real property owned by the University and located in the City of Columbia for the purpose of construction of a hotel/convention center complex on said real property.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2157**, introduced by Representatives Graham and Liese, relating to special license plates.

**HB 2158**, introduced by Representatives Berkstresser, Myers, Miller, Phillips, Robirds and Kelly (144), et al, relating to the display of the motto of the United States of America in public schools.

**HB 2159**, introduced by Representative Kelly (144), relating to the regulation and licensing of the practice of naturopathic medicine.

**HB 2160**, introduced by Representatives Britt, Kreider, Ross, McKenna, Green (15), Jolly, Johnson (90), Hosmer, Dolan, Wagner and Boucher, et al, relating to police retirement systems.

**HB 2161**, introduced by Representative Ladd Baker, relating to eligibility for supplemental nursing payments.

**HB 2162**, introduced by Representatives Johnson (61), Johnson (90), Thompson, Richardson and Dempsey, relating to surgical comanagement arrangements.

**HB 2163**, introduced by Representatives Smith and Hosmer, relating to transfer of adult probation personnel and services.

**HB 2164**, introduced by Representatives Kelly (27) and Burton, relating to the higher education funding formula.

**HB 2165**, introduced by Representative Dempsey, relating to regulation of aviation noise.

**HB 2166**, introduced by Representative Scott, relating to unemployment reimbursement for Indian tribes in compliance with federal mandate.

**HB 2167**, introduced by Representatives Burton and Shields, relating to intermediate care facilities for the mentally retarded.

**HB 2168**, introduced by Representative Burton, relating to political subdivisions providing cable television services.

**HB 2169**, introduced by Representatives Cooper, Dempsey, Reinhart, Mayer and Crowell, et al, relating to an income tax credit for disabled dependent care costs.

**HB 2170**, introduced by Representatives Holand, Reinhart and Berkstresser, relating to regional centers for comprehensive services for mental retardation and developmental disabilities.

**HB 2171**, introduced by Representatives Crawford, Roark, Bearden, Hunter, Rector, Jetton, Mayer, Crowell, Dolan, Froelker, Behnen, Luetkemeyer, Reinhart and Gaskill, relating to transportation.

**HB 2172**, introduced by Representatives Holand, Berkstresser, Reinhart and Miller, relating to keno games.

**HB 2173**, introduced by Representative Crump, relating to the flexible benefit plan for state employees.

**HB 2174**, introduced by Representative Kelly (27), relating to the public service commission.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 675**, entitled:

An act to repeal sections 28.160, 115.013, 115.027, 115.081, 115.083, 115.085, 115.087, 115.089, 115.095, 115.097, 115.099, 115.101, 115.122, 115.123, 115.133, 115.135, 115.137, 115.151, 115.157, 115.159, 115.160, 115.162, 115.163, 115.179, 115.195, 115.225, 115.233, 115.237, 115.277, 115.279, 115.283, 115.287, 115.291, 115.409, 115.417, 115.419, 115.427, 115.429, 115.433, 115.439, 115.453, 115.493 and 115.613, RSMo, relating to elections, and to enact in lieu thereof fifty-four new sections relating to the same subject, with penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 722**, entitled:

An act to repeal section 168.081, RSMo, relating to alternative certification standards for principals, and to enact in lieu thereof two new sections relating to the same subject, with an expiration date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 856**, entitled:

An act to amend chapter 135, RSMo, by adding thereto two new sections relating to enterprise zones.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 895**, entitled:

An act to repeal sections 30.270, 362.020, 362.106, 362.117, 362.170, 362.245, 362.270, 362.275, 362.335, 364.120, 365.100, 365.140, 367.518, 369.144, 385.050, 400.9-303, 408.083, 408.140, 408.170, 408.320, 408.556, 408.557, 525.070, 700.350, RSMo, section 375.065 as enacted by house committee substitute for senate substitute for senate bill no. 193, ninety-first general assembly, first regular session and section 375.065 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 896, ninetieth general assembly, second regular session, relating to financial services, and to enact in lieu thereof twenty-six new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 962**, entitled:

An act to repeal section 115.507, RSMo, relating to the certification of election results, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1009**, entitled:

An act to repeal sections 375.345 and 376.311, RSMo, relating to investments by insurance companies, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1078**, entitled:

An act to repeal section 59.800, RSMo, relating to the statutory county recorder's fund, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1109**, entitled:

An act to amend chapter 302, RSMo, by adding thereto one new section relating to drivers' licenses.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1113**, entitled:

An act to repeal sections 58.260, 58.270, 58.310, 58.330, 58.340 and 58.360, RSMo, relating to coroners, and to enact in lieu thereof six new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1132**, entitled:

An act to repeal section 193.065, RSMo, relating to local registrars, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1168**, entitled:

An act to authorize the conveyance of certain property to the city of Lebanon.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 14, 2002.

### **COMMITTEE MEETINGS**

#### **BUDGET**

Thursday, March 14, 2002, 8:00 a.m. Hearing Room 3. AMENDED NOTICE.  
Executive Session.

To be considered - HB 1107, HB 1108, HB 1109, HB 1110, HB 1111, HB 1112

#### **BUDGET**

Thursday, March 14, 2002. Hearing Room 3 upon morning adjournment. AMENDED NOTICE.  
Executive Session.

To be considered - HB 1108, HB 1109, HB 1110, HB 1111, HB 1112

#### **BUDGET**

Friday, March 15, 2002, 9:00 a.m. Hearing Room 3.  
Executive Session on FY 2003 budget bills (if needed).

#### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, March 14, 2002, 8:00 a.m. Hearing Room 5. AMENDED NOTICE.

To be considered - HB 2155, Executive Session - HB 1082, Executive Session - HB 1216,  
Executive Session - HB 1812, Executive Session - HB 1945

#### **CIVIL AND ADMINISTRATIVE LAW**

Thursday, March 14, 2002, 9:00 a.m. Hearing Room 1.  
To be considered - Executive Session - HB 1621

**CORRECTIONAL & STATE INSTITUTIONS**

Thursday, March 14, 2002, 9:45 a.m. Side gallery.

To be considered - Executive Session - HB 1565, Executive Session - HB 2057

**CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Thursday, March 14, 2002. Side gallery upon adjournment.

Executive Session.

**ENVIRONMENT AND ENERGY**

Thursday, March 14, 2002, 8:30 a.m. Hearing Room 7.

To be considered - HB 2004, HB 2087, Executive Session - HB 1754

**INSURANCE**

Thursday, March 14, 2002, 9:45 a.m. Side gallery. AMENDED NOTICE.

To be considered - Executive Session - HB 1701, Executive Session - HB 1791,

Executive Session - HB 1792, Executive Session - HB 1903, Executive Session - HB 1970

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Wednesday, March 20, 2002, 6:00 p.m. Senate Lounge upon adjournment or 6:00 p.m.

Rule #19 CSR 60-50.200/300/400/410/420/430 450/700/800/900.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, March 19, 2002, 8:30 a.m. Hearing Room 4.

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Thursday, March 14, 2002. Side gallery upon morning adjournment.

To be considered - Executive Session - HB 1696

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Thursday, March 14, 2002, 9:15 a.m. Side gallery.

Executive Session.

**WAYS AND MEANS**

Thursday, March 14, 2002. Side gallery upon morning adjournment.

Executive Session.

**HOUSE CALENDAR**

**THIRTY-EIGHTH DAY, THURSDAY, MARCH 14, 2002**

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 32 through HCR 34

## **HOUSE BILLS FOR SECOND READING**

HB 2157 through HB 2174

## **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1392, with HA 1, and HS, pending, - Davis
- 2 HCS HB 1762 - Harding
- 3 HB 1748 - Ransdall
- 4 HB 1994 - Hosmer
- 5 HB 1851 - Curls
- 6 HB 1773 - Shelton
- 7 HCS HB 1654 & 1156 - Hosmer
- 8 HB 1306 - Williams
- 9 HB 1926 - Fraser

## **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HB 1679 - Crump
- 4 HCS HB 1479 - Ladd Baker
- 5 HB 1496 - Green (73)
- 6 HCS HB 1440 - Riback Wilson (25)
- 7 HCS HB 1556 - Rizzo
- 8 HCS HB 1689 - Treadway

## **HOUSE BILLS FOR PERFECTION - CONSENT**

(3-7-02)

- 1 HB 1548 - Barry
- 2 HB 1473 - Green (15)
- 3 HB 1781 - Green (73)
- 4 HB 1194 - Gambaro
- 5 HB 1518 - Luetkenhaus
- 6 HB 1568 - Luetkenhaus
- 7 HB 1409 - Campbell
- 8 HB 1600 - Treadway
- 9 HB 1840 - Seigfreid
- 10 HB 1504 - Liese
- 11 HB 1852 - Villa
- 12 HB 1755 - Merideth
- 13 HB 1643 - Holand
- 14 HB 1861 - Burcham

- 15 HB 1032 - Portwood
- 16 HB 1313 - Burton
- 17 HB 1862 - May (149)

(3-13-02)

- 1 HB 1986 - Hosmer
- 2 HB 1196 - Barnett
- 3 HB 1041 - Myers

(3-14-02)

- 1 HB 1953 - Van Zandt
- 2 HB 2025 - Walton
- 3 HB 2123 - Barry
- 4 HB 1872 - Hosmer
- 5 HB 1881 - Rizzo
- 6 HB 2008 - O'Connor
- 7 HB 1837 - Berkowitz
- 8 HB 2031 - O'Connor
- 9 HB 1838 - Hosmer
- 10 HB 2047 - Ransdall
- 11 HB 2009 - O'Connor
- 12 HB 1867 - Griesheimer
- 13 HB 2022 - Richardson
- 14 HB 1969 - Reid

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HCS HB 1202 - Smith
- 4 HCS HB 1403 - St. Onge
- 5 HB 1592, (Fiscal Review 3-13-02) - Hickey

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid



- 5     HB 1093 - Relford
- 6     HB 1714 - Hilgemann
- 7     HB 1205 - Seigfreid
- 8     HB 1411 - Skaggs
- 9     HB 1094 - Relford
- 10    HB 1397 - Ransdall
- 11    HB 1391 - Smith
- 12    HB 1272 - Smith
- 13    HB 1412 - Skaggs
- 14    HB 1918 - Koller
- 15    HB 1265 - Gratz
- 16    HB 1242 - Griesheimer
- 17    HB 1075 - Nordwald
- 18    HB 1320 - Reid
- 19    HB 1515 - Burton
- 20    HB 1569 - Davis
- 21    HB 1795 - Berkowitz
- 22    HB 1849 - Barnitz
- 23    HB 1745 - Koller
- 24    HB 1400 - Merideth
- 25    HB 1141 - Naeger
- 26    HB 1270 - Gratz
- 27    HB 1822 - Walton
- 28    HB 1783 - Lowe
- 29    HB 1768 - Hosmer
- 30    HB 1814 - Monaco
- 31    HB 1712 - Monaco
- 32    HB 1895 - Carnahan
- 33    HB 1722 - Hosmer
- 34    HB 1779 - Green (73)
- 35    HB 1788 - Ross
- 36    HB 1778 - Monaco
- 37    HB 1789 - Ross
- 38    HB 1314 - Mays (50)
- 39    HB 1632 - O'Connor

**SENATE BILLS FOR SECOND READING**

- 1     SS SCS SB 675
- 2     SCS SB 722
- 3     SB 856
- 4     SB 895
- 5     SB 962
- 6     SS SCS SB 1009
- 7     SB 1078

- 8 SB 1109
- 9 SCS SB 1113
- 10 SCS SB 1132
- 11 SB 1168

## **HOUSE RESOLUTIONS**

- 1 HR 150, (2-21-02, page 344) - Vogel
- 2 HCS HR 51, (3-7-02, pages 514 & 515) - Boykins
- 3 HR 278, (3-7-02, page 517) - Bonner
- 4 HR 262, (3-7-02, pages 516 & 517) - Williams
- 5 HR 341, (3-7-02, page 518) - Ladd Baker
- 6 HCS HR 361, (3-7-02, pages 518 & 519) - Hanaway
- 7 HR 318, (3-7-02, pages 517 & 518) - Crawford

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTY-EIGHTH DAY, THURSDAY, MARCH 14, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Honorable Representatives, please pause for a few moments of silence, and in your own minds and hearts, speak to your God in your own words concerning your needs and the needs of your constituents.

These thoughts and prayers rise to You, O God of love and justice. Hear the minds and hearts of these women and men dedicated to serving the people You have created, the people for whom You care so desperately. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jacob Mulcahy, Jessica Pineda, Tenia Reed, Gary Schultz, Donique McClinton, Lauren Bishop, Dakota Sestrich, Christina Burton, Kerry Gibson, Terrence Tutt, Anthony Davis, Emily Strickrodt, Ethan Strickrodt, Emily Tedrow, Madison Gibler, Kim Shields, Jade Ruf and Bailie Hanneken.

The Journal of the thirty-seventh day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 785 - Representative Wilson (42), et al  
House Resolution No. 786  
through  
House Resolution No. 794 - Representative Crowell  
House Resolution No. 795 - Representative Crump  
House Resolution No. 796 - Representative Rizzo, et al  
House Resolution No. 797 - Representative Gambaro  
House Resolution No. 798 - Representative Murphy  
House Resolution No. 799 - Representative Legan  
House Resolution No. 800 - Members of the Black Caucus  
House Resolution No. 801 - Representative Fraser  
House Resolution No. 802 - Representative Ross  
House Resolution No. 803 - Representative Champion

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 32** through **HCR 34** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2157** through **HB 2174** were read the second time.

## SECOND READING OF SENATE BILLS

**SS SCS SB 675, SCS SB 722, SB 856, SB 895, SB 962, SS SCS SB 1009, SB 1078, SB 1109, SCS SB 1113, SCS SB 1132 and SB 1168** were read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 1344 & 1944, HS HCS HB 1532 and HCS HB 1898**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## PERFECTION OF HOUSE BILL

**HCS HB 1392, with House Amendment No. 1, and HS, pending**, relating to school district tax surcharges, was taken up by Representative Davis.

**House Amendment No. 1** was withdrawn.

Representative Holand offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1392, by inserting at the appropriate location the following sections:

"162.1174. 1. A majority of the school boards or one or more school boards with a majority of the student population in any county may impose, by order, a sales tax on all retail sales of up to one cent, in one-eighth cent increments, made in such county which are subject to taxation pursuant to sections 144.010 to 144.510, RSMo. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless there is submitted to the voters of the county, at a state general or primary election, a proposal to authorize the school boards to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the school districts of ..... (County name) impose a county-wide sales tax of ..... (Insert amount) for a period not to exceed ..... (Insert number) years for the purpose of ..... (Insert educational purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the school boards shall have no power to impose the sales tax authorized pursuant to this section unless and until the school boards shall again have submitted another proposal to authorize the imposition of the sales tax authorized by sections 162.1174 to 162.1178 and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal for approval of a sales tax be submitted to the voters pursuant to sections 162.1174 to 162.1178 sooner than ten months from the date of the last proposal submitted pursuant to sections 162.1174 to 162.1178 in the school district.

3. All revenue received by the school districts from the tax authorized pursuant to sections 162.1174 to 162.1178 shall be deposited in special trust funds for each school district in the county based on the number of the school district's pupils resident in the county as represented by the district's eligible pupil count used in the state aid payment calculation in the year of disbursement and shall be used by the school districts solely for the purpose described in the ballot for so long as the tax shall remain in effect. Once the tax authorized by sections 162.1174 to 162.1178 is abolished or is terminated by any means, all funds remaining in the special trust funds shall be used solely for activities initiated with revenues raised by the tax authorized by sections 162.1174 to 162.1178.

4. The tax authorized by sections 162.1174 to 162.1178 shall terminate not more than five years from the effective date of such tax unless sooner abolished by the school boards. Once the tax authorized by sections 162.1174 to 162.1178 is abolished or is terminated by any means, the school boards shall have no power to impose the sales tax unless and until the school boards shall again have submitted another proposal to authorize the imposition of the sales tax authorized by sections 162.1174 to 162.1178 and such proposal is approved by a majority of the qualified voters voting thereon, but no proposal for the sales tax shall be submitted to the voters to become effective in less than four calendar quarters of the date the sales tax was abolished or terminated.

162.1175. 1. School districts in contiguous counties may create a regional multicounty education sales tax district as provided in this section. The district may impose an education sales tax substantially in compliance with section 162.1174.

2. The school board of the district with the majority of the student population in a county or a majority of the school boards in a majority of the school districts in a contiguous county or counties may file with the county clerk of the county in which the greatest part of the proposed district's population resides a petition requesting the establishment of a regional multicounty education sales tax district. The petition shall include:

- (1) A description of the counties located within the proposed district;
- (2) The names of the school districts located within the proposed district;
- (3) The name of the proposed district;
- (4) The rate of proposed sales tax to be levied;
- (5) The duration of the tax;
- (6) The purposes of the tax; and
- (7) A request that the question be submitted to the voters residing within the proposed district to

determine whether they will establish a regional multicounty education sales tax district pursuant to this section.

3. The question shall be submitted to the voters in the proposed district in substantially the following form:

Shall there be organized in the counties of ..... (County names) a regional multicounty education sales tax district, to be known as "....." (Insert name of district), for the purpose of ..... (Insert educational purpose)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the district shall be deemed organized. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the district shall not be organized unless and until the school boards shall again have submitted another proposal to authorize the organization of a regional multicounty education sales tax district and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal for approval of a sales tax be submitted to the voters pursuant to sections 162.1174 to 162.1178

sooner than ten months from the date of the last proposal submitted pursuant to sections 162.1174 to 162.1178 in the school district.

4. Pursuant to this section, the school board of the district with the majority of the student population in a county or a majority of the school boards in a majority of the school districts in a county or counties contiguous with a Missouri county with an established education sales tax pursuant to section 162.1174 may petition to establish a regional multicounty education sales tax district with the authority to impose an education sales tax at the identical rate of the established education sales tax for the remainder of its effective period. When such a district is established pursuant to this subsection, the distribution of the proceeds deriving from the regional multicounty district will be adjusted so that the per-pupil amount of the school districts in the county or counties petitioning for establishment of a district pursuant to this section shall not exceed one hundred fifty percent of the per-pupil amount the districts of the adjoining county would have received if the adjoining county's proceeds were considered separately.

5. Nothing in this section shall be construed to require contiguous counties whose voters have approved an educational sales tax to create a multicounty educational sales tax area, nor to require a county with an existing education sales tax to adopt an additional education sales tax upon establishment of a regional multicounty education sales tax district and imposition by the district of a regional education sales tax.

162.1176. 1. All sales taxes collected by the director of revenue pursuant to sections 162.1174 to 162.1178 on behalf of any school district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "School District Sales Tax Trust Fund". The collection fee shall be reduced to one-half of one percent in the third year and subsequent years, if any, of the tax. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each school district imposing a sales tax pursuant to sections 162.1174 to 162.1178, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the school district which levied the tax. Such funds shall be deposited with the treasurer of each such school district, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the school board. Districts shall deposit moneys from the trust fund in the teachers', incidental, or capital projects fund, at the discretion of the board. Such moneys may be transferred between such funds by the board. Such moneys shall not be used for the determination of salary compliance.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any school district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such school districts. If any school district abolishes the tax, the school board shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such school district, the director of revenue shall authorize the state treasurer to remit the balance in the account to the school district and close the account of that school district. The director of revenue shall notify each school district of each instance of any amount refunded or any check redeemed from receipts due the school district.

3. Except as modified in sections 162.1174 to 162.1178, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to sections 162.1174 to 162.1178.

162.1178. No revenue received by a school district from the tax authorized pursuant to sections 162.1174 to 162.1178 shall be included in calculating state aid pursuant to section 163.031, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Kreider assumed the Chair.

Representative Holand moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Abel	Baker	Barnett	Barnitz	Behnen
Boucher	Bray 84	Carnahan	Champion	Clayton
Crump	Cunningham	Davis	Fares	Foley
Froelker	Gaskill	Gratz	Griesheimer	Hagan-Harrell
Hanaway	Hegeman	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Johnson 90	Jolly
Kelley 47	Kelly 36	Koller	Long	Marsh
McKenna	Merideth	Moore	Myers	O'Toole
Overschmidt	Purgason	Quinn	Ransdall	Relford
Robirds	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Skaggs	Treadway	Vogel
Wagner	Ward	Whorton	Willoughby	Mr. Speaker

NOES: 096

Ballard	Barry 100	Bartelsmeyer	Bartle	Bearden
Berkstresser	Black	Boatright	Bonner	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Curls	Daus	Dempsey
Dolan	Enz	Farnen	Franklin	Fraser
Gambaro	George	Graham	Green 15	Green 73
Hampton	Harding	Harlan	Hartzler	Haywood
Henderson	Hickey	Hohulin	Hoppe	Hunter
Jetton	Johnson 61	Kelly 144	Kelly 27	King
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Mays 50	Miller	Monaco	Murphy	Naeger
Nordwald	O'Connor	Ostmann	Paone	Phillips
Portwood	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Scott	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Troupe
Van Zandt	Villa	Walton	Williams	Wilson 25
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkowitz	Bland	Lawson	Wilson 42
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VACANCIES: 003

Representative Davis offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1392, Section 162.1153, Page 4, Line 22 of said page to Page 8, Line 20 of said page, by deleting all of said section from the bill; and

Further amend said bill, Page 9, Section 162.1157, Line 19 of said page, by deleting the words “**or 162.1153**”; and

Further amend said bill, Page 10, Section 162.1157, Line 1 of said page, by deleting the words “**or 162.1153**”; and

Further amend said bill, Page 15, Section 162.1172, Line 21, by deleting the words “**Except as provided in section 162.1153,**”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 2** was adopted.

Representative Froelker offered **House Amendment No. 3**.

Representative Holand raised a point of order that **House Amendment No. 3** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Davis, **HS HCS HB 1392, as amended**, was adopted.

On motion of Representative Davis, **HS HCS HB 1392, as amended**, was ordered perfected and printed by the following vote:

AYES: 122

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkstresser	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Daus	Davis	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Paone
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			



NOES: 028

Ballard	Bearden	Boatright	Burcham	Burton
Byrd	Cierpiot	Crowell	Dempsey	Dolan
Enz	Gaskill	Henderson	Hohulin	Hunter
Legan	Linton	Marble	Murphy	Phillips
Reid	Richardson	Ridgeway	Roark	Scott
St. Onge	Surface	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnett	Berkowitz	Bland	Green 73	Haywood
Hickey	Kelly 144	Lograsso	Ostmann	Troupe

VACANCIES: 003

### PERFECTION OF HOUSE BILLS - INFORMAL

**HB 1594**, relating to pay raises for correctional officers, was taken up and placed back on the Informal Calendar.

**HCS HB 1069**, relating to wage practices, was taken up and placed back on the Informal Calendar.

**HB 1679**, relating to horse racing and pari-mutuel wagering, was taken up by Representative Crump.

Representative Crump offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 1679, Page 12, Section 313.585, Line 13, by deleting the words “**at least fifty days**” in said line.

Representative Marble offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Crump raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative Crump, **House Amendment No. 1** was adopted.

Representative Marble offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 1679, Page 12, Section 313.585, Line 2, by inserting immediately after the word "it" the words "**will make a capital investment in its race meeting grounds in Missouri exceeding twenty-five million dollars within the first forty-two months after licensure, and that it**"; and

Further amend said bill, Section 313.585, Line 12, by inserting after the word "**not**" the words "**make a capital investment or**"; and

Further amend said bill, Section 313.585, Lines 18 and 19, by deleting the words "**such substantial investments in its race meeting grounds**" and inserting in lieu thereof the words "**the capital investment in its race meeting grounds as set forth in subsection 1 of this section**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Richardson offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Bill No. 1679, Page 12, Section 313.585, Line 2, by inserting immediately after the word "it" the words "**will make a capital investment in its race meeting grounds in Missouri exceeding ten million dollars within the first forty-two months after licensure, and that it**"; and

Further amend said bill, Section 313.585, Line 12, by inserting after the word "**not**" the words "**make a capital investment or**"; and

Further amend said bill, Section 313.585, Lines 18 and 19, by deleting the words "**such substantial investments in its race meeting grounds**" and inserting in lieu thereof the words "**the capital investment in its race meeting grounds as set forth in subsection 1 of this section**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Crump offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Bill No. 1679, Page 17, Section 313.630, Line 1, by deleting the words "**state treasurer**" and inserting in lieu thereof the word "**commission**"; and

Further amend said bill, Page 17, Section 313.630, Line 3, by deleting the words "**state treasurer**" and inserting in lieu thereof the word "**commission**"; and

Further amend said bill, Page 17, Section 313.630, Line 4, by inserting at the beginning of said line the following: "**state treasury by the commission to the credit of the**".

Representative Boatright offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Bill No. 1679, Page 17, Section 313.630, Lines 1 to 4, by deleting all of said lines and inserting in lieu thereof the following:

"313.630. 1. Each licensee shall pay to the commission an admission fee of three dollars for each person entering the race meeting grounds. Two dollars of such fee shall be deposited in the Missouri horse racing fund, and two cents of such fee deposited to the credit of the Missouri horse racing fund shall be deposited to the credit of the compulsive gamblers fund created pursuant to the provisions of section 313.842. One dollar of such fee shall not be considered state funds and shall be paid to the city or county where the race meeting grounds are located."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Crump raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is not a true substitute amendment.

The Chair ruled the point of order untimely.

Representative Boatright moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Froelker offered **House Substitute Amendment No. 2 for House Amendment No. 3.**

Representative Gambaro raised a point of order that **House Substitute Amendment No. 2 for House Amendment No. 3** is dilatory.

The Chair ruled the point of order well taken.

On motion of Representative Crump, **House Amendment No. 3** was adopted.

Representative Reynolds offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Bill No. 1679, Page 22, Section 313.655, Lines 8 to 10, by deleting said lines and inserting in lieu thereof the following: conducts live racing.] **A licensee may only conduct pari-mutuel wagering on simulcasts within its race meeting grounds at a rate of three days of simulcasts for each day that it conducts live racing within such race meeting grounds,"**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Byrd offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

Representative Reynolds raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Reynolds moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Baker	Ballard	Barnett	Bartle	Bearden
Boatright	Burton	Campbell	Champion	Crawford
Cunningham	Enz	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Hendrickson
Hohulin	Hosmer	Jetton	Kelly 144	Kelly 27
King	Lawson	Legan	Lowe	Luetkemeyer
Marble	May 149	Mayer	Miller	Moore
Murphy	Myers	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Reynolds
Ridgeway	Roark	Schwab	Secrest	Shields
Shoemaker	Treadway	Troupe	Willoughby	Wright

NOES: 059

Abel	Barnitz	Barry 100	Bonner	Boucher
Bowman	Britt	Brooks	Byrd	Carnahan
Clayton	Copenhaver	Crowell	Crump	Curls
Daus	Davis	Farnen	Foley	Franklin
Fraser	Gambaro	Gratz	Green 15	Green 73
Hagan-Harrell	Harding	Hickey	Holt	Hunter
Johnson 90	Luetkenhaus	Mays 50	McKenna	Naeger
O'Toole	Overschmidt	Paone	Ransdall	Reid
Relford	Richardson	Rizzo	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Villa	Wagner	Walton
Ward	Whorton	Williams	Wilson 25	

PRESENT: 000

ABSENT WITH LEAVE: 046

Bartelsmeyer	Behnen	Berkowitz	Berkstresser	Black
Bland	Boykins	Bray 84	Burcham	Cierpiot
Cooper	Dempsey	Dolan	George	Graham
Hampton	Harlan	Haywood	Henderson	Hilgemann
Holand	Hollingsworth	Hoppe	Johnson 61	Jolly
Kelley 47	Kelly 36	Koller	Liese	Linton
Lograsso	Long	Marsh	Merideth	Monaco
Nordwald	O'Connor	Robirds	Ross	Scheve
Scott	Surface	Van Zandt	Vogel	Wilson 42
Mr. Speaker				

VACANCIES: 003

Representative Riback Wilson (25) offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Bill No. 1679, Page 17, Section 313.630, Line 1, by deleting the word “**two**” and inserting in lieu thereof the word “**three**”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Riback Wilson (25), **House Amendment No. 5** was adopted.

Representative Legan offered **House Amendment No. 6.**

Representative Crump raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Johnson (61) offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Bill No. 1679, Page 3, Section 313.510, Line 10, by inserting immediately after the word “**years.**” the following: “**A minimum of twenty-five percent of all commissioners appointed shall be minorities.**”; and

Further amend said bill, Page 4, Section 313.520, Line 3, by inserting immediately after said line the following: “**A minimum of twenty-five percent of employees hired by the commission shall be minorities.**”; and

Further amend said bill by inserting in the appropriate place the following:

**“Section 1. The director shall award at least twenty-five percent of the aggregate dollar amount of all contracts to provide goods and services to the commission to minority business enterprises as defined by the office of administration. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission. Any contract awarded to any horse race commission contractor or vendor shall provide that such contractor or vendor shall award a minimum of twenty-five percent of subcontracted business to minority business enterprises as defined by the office of administration.”; and**

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Hohulin raised a point of order that **House Amendment No. 6** is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Johnson (61), **House Amendment No. 6** was adopted.

Representative Wright offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Bill No. 1679, Page 24, Section 313.720, Line 25, by inserting the following:

**“no gaming devices or practices shall be allowed on the race meeting grounds, other than those necessary for pari-mutuel racing.”.**

On motion of Representative Wright, **House Amendment No. 7** was adopted by the following vote:

AYES: 090

Baker	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Boykins	Burcham	Burton	Campbell
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Fraser	Froelker	Gaskill	Graham	Gratz
Green 15	Hanaway	Harding	Hartzler	Hegeman
Henderson	Hohulin	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Jolly	Kelley 47	Kelly 144
Kelly 27	King	Legan	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shelton	Shields
Shoemaker	Thompson	Townley	Treadway	Troupe
Vogel	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 051

Abel	Barry 100	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Franklin	Gambaro	George	Green 73
Hagan-Harrell	Hampton	Hickey	Hollingsworth	Holt
Johnson 90	Kelly 36	Koller	Liese	Lowe
Mays 50	McKenna	Merideth	O'Toole	Overschmidt
Paone	Ransdall	Relford	Reynolds	Rizzo
Seigfreid	Selby	Smith	St. Onge	Villa
Wagner	Walton	Ward	Whorton	Williams
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 019

Berkowitz	Bland	Byrd	Foley	Griesheimer
Harlan	Haywood	Hendrickson	Hilgemann	Holand
Lawson	Long	Luetkenhaus	O'Connor	Scheve
Shoemyer	Skaggs	Surface	Van Zandt	

VACANCIES: 003

Representative Bearden offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Bill No. 1679, Page 23, Section 313.670, Line 2, by deleting all of said line and inserting in lieu thereof the following: "of [eighteen] **twenty-one** years unless accompanied by a parent or guardian over the age of [eighteen] **twenty-one** to be"; and

Further amend said bill, Page 23, Section 313.670, Line 4, by deleting all of said line and inserting in lieu thereof the following: "licensee knowingly permit any person under the age of [eighteen] **twenty-one** years to wager on any [horse]"; and

Further amend said bill, Page 23, Section 313.670, Line 6, by deleting all of said line and inserting in lieu thereof the following:

"2. No individual under the age of [eighteen] **twenty-one** years shall knowingly make or attempt to"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bearden moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Jetton offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Bill No. 1679, Page 2, Section 313.500, Lines 15 to 16, by deleting all of said lines and inserting in lieu thereof the following: "**a live race or simulcast placed and accepted at a racetrack;**"; and

Further amend said bill, Page 3, Section 313.500, Line 49, by deleting ", **previously run,**"; and

Further amend said bill, Page 3, Section 313.500, Lines 51 to 54, by deleting all of said lines and inserting in lieu thereof the following:

"(16) **"Race meeting grounds", a racetrack licensed by the commission, and any structures directly surrounding such racetrack under control of a licensee and other property contiguous to such racetrack under control of a licensee;**

(17) **"Simulcast", the audio and visual transmission of a live, real-time race, or series of races, provided in any manner approved by the commission;**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jetton moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Ballard offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Bill No. 1679, Page 4, Section 313.510, Line 13, by removing the brackets from around “**Missouri gaming commission**” and placing brackets around “**department of public safety**”.

Representative Ballard moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Shields offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Bill No. 1679, Page 5, Section 313.530, Lines 16-17, by deleting the words “state school moneys fund” and all of Line 17 to the period, and inserting in lieu thereof “**classroom trust fund**”; and

Further amend said section, Lines 20 and 21, by deleting the words “state school moneys fund to be distributed in the manner provided in section 163.031, RSMo” and inserting in lieu thereof the following: “**the classroom trust fund**”; and

Further amend said bill by inserting in the appropriate location the following section:

“For fiscal year 2003 and each subsequent fiscal year, the “Classroom Trust Fund” which is hereby created in the state treasury, shall be distributed by the state board of education to each school district on a per eligible pupil basis. The moneys may be used by the district for:

- (1) school construction, renovation or leasing
- (2) teacher recruitment, retention, salaries or professional development
- (3) technology enhancements or textbooks or instructional materials; or
- (4) school safety and violence prevention programs”; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Foley raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Monaco assumed the Chair.

Representative Hollingsworth offered **House Substitute Amendment No. 1 for House Amendment No. 11**.

**House Substitute Amendment No. 1 for House Amendment No. 11** was withdrawn.

Speaker Kreider resumed the Chair.

Representative Hollingsworth offered **House Substitute Amendment No. 1 for House Amendment No. 11**.



*House Substitute Amendment No. 1  
for  
House Amendment No. 11*

AMEND House Bill No. 1679, Page 5, Section 313.530, Lines 16-17, by deleting the words “state school moneys fund” and all of Line 17 to the period, and inserting in lieu thereof “**schools of the future fund**”; and

Further amend said section, Lines 20 and 21, by deleting the words “state school moneys fund to be distributed in the manner provided in section 163.031, RSMo” and inserting in lieu thereof the following: “**schools of the future fund**”.

**HB 1679, as amended, with House Substitute Amendment No. 1 for House Amendment No. 11, and House Amendment No. 11, pending, was laid over.**

**REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2098** - Education-Elementary and Secondary

**HB 2121** - Civil and Administrative Law

**HB 2160** - Public Safety, Law Enforcement and Veteran Affairs

**COMMITTEE REPORTS**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1032, HB 1194, HB 1313, HB 1409, HB 1473, HB 1504, HB 1518, HB 1548, HB 1568, HB 1600, HB 1643, HB 1755, HB 1781, HB 1840, HB 1852, HB 1861 and HB 1862 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1443**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1812**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 2155**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Criminal Law**, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1058**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1489**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1756**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1955**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 2029**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 2032**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 2062**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 2120**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Critical Issues, Consumer Protection and Housing**, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 2117**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1973**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 2018**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 2023**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Environment and Energy**, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 2087**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Insurance**, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1502** and **HB 1821**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1701**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1903**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1715**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 2078**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1085**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1148**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1580**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1635**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1636**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1735**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1757**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1776**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1839**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1846**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1982**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 2002**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 2039**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Municipal Corporations**, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1811**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1964**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 2064**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 2130**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Professional Registration and Licensing**, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1937**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 2001**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Retirement**, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1455**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Tourism, Recreation and Cultural Affairs**, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 1692**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1645**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 2026**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were read the first time and copies ordered printed:

**HCR 35**, introduced by Representative Riback Wilson (25), relating to the Division of Maternal, Child and Family Health within the Department of Health and Senior Services.

**HCR 36**, introduced by Representative Clayton, relating to the Upper Mississippi River Comprehensive Plan.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 59**, introduced by Representative Wright, relating to the state budget.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2175**, introduced by Representative Shields, relating to driveway operations.

**HB 2176**, introduced by Representative O'Connor, relating to utility metering.

**HB 2177**, introduced by Representative Treadway, relating to homeowners' protection.

**HB 2178**, introduced by Representatives Fraser and Moore, et al, relating to foreign language instruction in elementary schools.

**HB 2179**, introduced by Representatives Hosmer and Britt, relating to probation, pardon, parole, and conditional release.

**HB 2180**, introduced by Representative Froelker, relating to corporation franchise tax.

**HB 2181**, introduced by Representative Hoppe, relating to air ambulance services.

**HB 2182**, introduced by Representatives Davis, Ransdall and Relford, relating to payment of tuition and transportation by school districts not maintaining an accredited school.

**HB 2183**, introduced by Representatives Merideth and Holand, relating to neighborhood assistance tax credits.

**HB 2184**, introduced by Representative Hartzler, relating to fire protection district fees.

**HB 2185**, introduced by Representatives Ransdall, Carnahan, Johnson (90), Willoughby, Shoemyer (9), Smith and Hosmer, et al, relating to court costs in criminal change of venue cases.

**HB 2186**, introduced by Representatives Kelly (27), Ostmann, Smith, Fares, Fraser, Riback Wilson (25), Williams and Bartelsmeyer, et al, relating to relocation of a child.

**HB 2187**, introduced by Representatives Bland, Abel, Boucher, Foley, Walton, Monaco, Sanders Brooks and Curls, et al, relating to the Missouri minority business advocacy commission.

**HB 2188**, introduced by Representative Bland, relating to payment of property taxes.

**HB 2189**, introduced by Representative Bland, relating to property taxation.

**HB 2190**, introduced by Representatives Legan, Richardson, Burcham and Burton, relating to the transfer process for students of public institutions of higher education.

**HB 2191**, introduced by Representative Henderson, relating to landlord-tenant courts.

**HB 2192**, introduced by Representative Hendrickson, relating to personal property taxes.

**HB 2193**, introduced by Representative Dolan, relating to emergency services.

**HB 2194**, introduced by Representatives May (149), Myers, Naeger, Ransdall, Barnitz and Townley, et al, to authorize the conveyance of property in the City of Rolla to the Gingerbread House, Inc.

**HB 2195**, introduced by Representative Secrest, relating to employment security.

**HB 2196**, introduced by Representatives Boucher, Lowe, Rizzo, Jolly, Monaco, Bland and Curls, relating to the establishment of a recruitment campaign for adoptive and foster care families.

**HB 2197**, introduced by Representatives Long, Williams, Kelley (47), Lowe, Ostmann and Berkstresser, relating to the duties of the board of probation and parole.

**HB 2198**, introduced by Representatives Ward, Selby, Boucher and Hickey, et al, relating to the state highways and transportation department fund.

**HB 2199**, introduced by Representatives Barry and Riback Wilson (25), relating to the putative father registry.

**HB 2200**, introduced by Representatives Barry and George, relating to restrictions on security guard activities during labor disputes.

**HB 2201**, introduced by Representatives Hilgemann and Boucher, relating to motor vehicle registration tabs.

**HB 2202**, introduced by Representative Paone, relating to nominating committees.

**HB 2203**, introduced by Representative Bartelsmeyer, relating to prior and persistent alcohol offenders.

**HB 2204**, introduced by Representative Britt, relating to pesticides.

**HB 2205**, introduced by Representative Hilgemann, relating to taxable income for a corporation.

**HB 2206**, introduced by Representative Fraser, relating to rental increases.

**HB 2207**, introduced by Representative Fraser, relating to substitute teachers' retention of retirement benefits.

**HB 2208**, introduced by Representatives Bland, Abel, Boucher and Troupe, et al, relating to telecommunity centers.

**HB 2209**, introduced by Representatives Bland, Boucher, Foley, Hickey, Walton and Troupe, et al, relating to union organization limitations on private employer use of state funds.

**HB 2210**, introduced by Representatives Bland, Boucher, Abel, Foley, Townley and Troupe, et al, relating to the task force on trade and investment.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 859**, entitled:

An act to repeal section 160.545, RSMo, relating to the A+ schools program, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1050**, entitled:

An act to repeal section 162.431, RSMo, relating to school district boundary changes, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1151**, entitled:

An act to repeal section 94.875, RSMo, relating to tourism tax trust funds in certain cities, and to enact in lieu thereof one new section relating to the same subject.



In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Bland.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Friday, March 15, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Thirty-seventh Day, Wednesday, March 13, 2002, page 599, line 36, by deleting said line.

Page 588, roll call, by showing Representatives Hosmer and McKenna voting "no" rather than "absent with leave".

Pages 591 and 592, roll call, by showing Representatives Carnahan, Curls, Froelker and McKenna voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **BUDGET**

Friday, March 15, 2002, 9:00 a.m. Hearing Room 3.  
Executive session on FY 2003 budget bills (if needed).  
Hearing CANCELLED.

#### **BUDGET**

Monday, March 18, 2002, 10:00 a.m. Hearing Room 3.  
Executive Session on previously heard bills.  
House Bills 1102 through 1112.

#### **BUDGET**

Monday, March 18, 2002. Hearing Room 3 upon evening adjournment.  
Executive Session House Bills 1102 through 1112.

#### **BUDGET**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 3.  
Executive Session House Bills 1102 through 1112.

#### **BUDGET**

Tuesday, March 19, 2002. Hearing Room 3 upon morning adjournment.  
Executive Session House Bills 1102 through 1112.

**BUDGET**

Tuesday, March 19, 2002. Hearing Rooms 3 upon evening adjournment.  
Executive Session House Bills 1102 through 1112.

**CHILDREN, FAMILIES, AND HEALTH**

Tuesday, March 19, 2002. Hearing Room 4 upon morning adjournment.  
Executive Session may follow.  
To be considered - HB 1975, HB 1987, HB 2028

**CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Monday, March 18, 2002, 8:00 p.m. Hearing Room 5.  
Executive Session may follow.  
To be considered - HB 2015, HCR 30

**EDUCATION - ELEMENTARY AND SECONDARY**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 7.  
To be considered - HB 1034, HB 1566, HB 1845, HCR 18  
Executive Session -HB 1725, Executive Session - HB 1726, Executive Session - HCR 18

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Wednesday, March 20, 2002, 6:00 p.m. Senate Lounge upon adjournment or 6:00 p.m.  
Rule #19 CSR 60-50.200/300/400/410/420/430 450/700/800/900.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, March 19, 2002, 8:15 a.m. Senate Committee Room 1. AMENDED NOTICE.

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, March 19, 2002. Hearing Room 1 upon morning adjournment.  
Executive Session to follow.  
To be considered - HB 1763, HB 1786, HB 1868, HB 2041

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, March 19, 2002, 8:30 a.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1259, HB 2052, HB 2160

**SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS**

Wednesday, March 20, 2002. Hearing Room 4 upon evening adjournment.  
To be considered - HCR 24

**SUBCOMMITTEE ON BUDGET**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 4. CANCELLED.  
To be considered - Executive Session - HB 1114

**WAYS AND MEANS**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1371, HB 1896, HB 2044, HB 2077

**HOUSE CALENDAR**

THIRTY-NINTH DAY, FRIDAY, MARCH 15, 2002

**HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING**

HCR 35 and HCR 36

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 59

**HOUSE BILLS FOR SECOND READING**

HB 2175 through HB 2210

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1762 - Harding
- 2 HB 1748 - Ransdall
- 3 HB 1994 - Hosmer
- 4 HB 1851 - Curls
- 5 HB 1773 - Shelton
- 6 HCS HB 1654 & 1156 - Hosmer
- 7 HB 1306 - Williams
- 8 HB 1926 - Fraser
- 9 HCS HB 1502 & 1821 - Luetkenhaus
- 10 HB 1455 - O'Toole
- 11 HCS HB 1735 - Hoppe
- 12 HB 1058 - Haywood
- 13 HCS HB 1443 - Barry
- 14 HCS HB 1756 - Reid
- 15 HB 1489 - Britt
- 16 HCS HB 1692 - Overschmidt

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HB 1679, as amended, HSA 1 for HA 11 & HA 11, pending - Crump

- 4 HCS HB 1479 - Ladd Baker
- 5 HB 1496 - Green (73)
- 6 HCS HB 1440 - Riback Wilson (25)
- 7 HCS HB 1556 - Rizzo
- 8 HCS HB 1689 - Treadway

#### **HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

#### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3-13-02)

- 1 HB 1986 - Hosmer
- 2 HB 1196 - Barnett
- 3 HB 1041 - Myers

(3-14-02)

- 1 HB 1953 - Van Zandt
- 2 HB 2025 - Walton
- 3 HB 2123 - Barry
- 4 HB 1872 - Hosmer
- 5 HB 1881 - Rizzo
- 6 HB 2008 - O'Connor
- 7 HB 1837 - Berkowitz
- 8 HB 2031 - O'Connor
- 9 HB 1838 - Hosmer
- 10 HB 2047 - Ransdall
- 11 HB 2009 - O'Connor
- 12 HB 1867 - Griesheimer
- 13 HB 2022 - Richardson
- 14 HB 1969 - Reid

(3-15-02)

- 1 HB 2039 - Kreider
- 2 HB 2002 - Farnen
- 3 HB 2080 - Britt
- 4 HB 1537 - Clayton
- 5 HB 1674 - O'Toole
- 6 HB 1757 - George
- 7 HB 1635 - Hoppe
- 8 HB 1659 - Kelly (27)

- 9 HB 2130 - Boykins
- 10 HB 2026 - Green (15)
- 11 HB 1937 - Barry
- 12 HB 1811 - Gambaro
- 13 HB 1973 - Bowman
- 14 HB 2023 - Franklin
- 15 HB 2064 - Walton
- 16 HB 1964 - Gambaro
- 17 HB 1085 - Mays (50)
- 18 HB 2155 - Willoughby
- 19 HB 1812 - Riback Wilson (25)
- 20 HB 1839 - Seigfreid
- 21 HB 1776 - Harlan
- 22 HB 1636 - Hoppe
- 23 HB 1148 - Ross
- 24 HB 1645 - Griesheimer
- 25 HB 2018 - Bartle
- 26 HB 2001 - Hegeman
- 27 HB 1580 - Barnett
- 28 HB 1982 - Richardson
- 29 HB 1846 - Scott

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HCS HB 1202 - Smith
- 4 HCS HB 1403 - St. Onge
- 5 HB 1592 - Hickey
- 6 HCS HB 1344 & 1944 - Crump
- 7 HS HCS HB 1532 - Hoppe
- 8 HCS HB 1898, E.C. - Campbell

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford
- 6 HB 1714 - Hilgemann

- 7 HB 1205 - Seigfreid
- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith
- 13 HB 1412 - Skaggs
- 14 HB 1918 - Koller
- 15 HB 1265 - Gratz
- 16 HB 1242 - Griesheimer
- 17 HB 1075 - Nordwald
- 18 HB 1320 - Reid
- 19 HB 1515 - Burton
- 20 HB 1569 - Davis
- 21 HB 1795 - Berkowitz
- 22 HB 1849 - Barnitz
- 23 HB 1745 - Koller
- 24 HB 1400 - Merideth
- 25 HB 1141 - Naeger
- 26 HB 1270 - Gratz
- 27 HB 1822 - Walton
- 28 HB 1783 - Lowe
- 29 HB 1768 - Hosmer
- 30 HB 1814 - Monaco
- 31 HB 1712 - Monaco
- 32 HB 1895 - Carnahan
- 33 HB 1722 - Hosmer
- 34 HB 1779 - Green (73)
- 35 HB 1788 - Ross
- 36 HB 1778 - Monaco
- 37 HB 1789 - Ross
- 38 HB 1314 - Mays (50)
- 39 HB 1632 - O'Connor
- 40 HB 1548 - Barry
- 41 HB 1473 - Green (15)
- 42 HB 1781 - Green (73)
- 43 HB 1194 - Gambaro
- 44 HB 1518 - Luetkenhaus
- 45 HB 1568 - Luetkenhaus
- 46 HB 1409 - Campbell
- 47 HB 1600 - Treadway
- 48 HB 1840 - Seigfreid
- 49 HB 1504 - Liese
- 50 HB 1852 - Villa
- 51 HB 1755 - Merideth

- 52 HB 1643 - Holand
- 53 HB 1861 - Burcham
- 54 HB 1032 - Portwood
- 55 HB 1313 - Burton
- 56 HB 1862 - May (149)

**SENATE BILLS FOR SECOND READING**

- 1 SB 859
- 2 SB 1050
- 3 SCS SB 1151

**HOUSE RESOLUTIONS**

- 1 HR 150, (2-21-02, page 344) - Vogel
- 2 HCS HR 51, (3-7-02, pages 514 & 515) - Boykins
- 3 HR 278, (3-7-02, page 517) - Bonner
- 4 HR 262, (3-7-02, pages 516 & 517) - Williams
- 5 HR 341, (3-7-02, page 518) - Ladd Baker
- 6 HCS HR 361, (3-7-02, pages 518 & 519) - Hanaway
- 7 HR 318, (3-7-02, pages 517 & 518) - Crawford

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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THIRTY-NINTH DAY, FRIDAY, MARCH 15, 2002

Representative Green (73) in the Chair.

Prayer by Stephen S. Davis, Chief of Staff for Representative Catherine Hanaway.

Father, we thank Thee for all that Thou has given us - for our lives, our freedom and the land in which we live. Please help us to remember that everything we are and have are gifts from Thee. Help us to be faithful stewards, to be righteous and humble and to understand that we will prosper in this land of liberty, only to the extent that we live righteously and follow Thy Word.

Bless the good members of this House and the leaders of our state to seek inspiration and wisdom from Thee in the decisions they make. Bless the leaders of our nation. Please sustain and strengthen our President with the heavy weight that he bears in leading us through adversity.

Father, bless the people of this state that they will seek Thee and hearken to Thy Word. Help us to teach our children of Thee and Thy love for them. Heal our nation and help us to remember Thee always, that we may return to and be with Thee forever, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 804 - Representative Shields  
House Resolution No. 805 - Representative Roark  
House Resolution No. 806  
through  
House Resolution No. 812 - Representative Jolly

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 35** and **HCR 36** were read the second time.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 59** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2175** through **HB 2210** were read the second time.



## SECOND READING OF SENATE BILLS

**SB 859, SB 1050** and **SCS SB 1151** were read the second time.

## REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 31** - Miscellaneous Bills & Resolutions

**HCR 33** - Transportation

**HCR 34** - Education-Higher

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 2202** - Elections

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1392**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Critical Issues, Consumer Protection and Housing**, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 1803**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 1921**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2211**, introduced by Representative Henderson, relating to transportation funding.

**HB 2212**, introduced by Representative Kelly (36), relating to unlawful use of a weapon.

**HB 2213**, introduced by Representative Kelly (36), relating to signs permitted on certain highways.

**HB 2214**, introduced by Representatives Moore, Crawford and Shoemaker (8), et al, relating to salary adjustments for state employees.

**HB 2215**, introduced by Representatives Moore, Berkstresser, Hendrickson, Secrest, Holand, Kelly (144) and Lawson, et al, relating to trespass.

**HB 2216**, introduced by Representative Murphy, relating to a sales tax on the sale of securities.

**HB 2217**, introduced by Representative Murphy, relating to fee agents of the department of revenue.

**HB 2218**, introduced by Representatives Naeger and Crowell, relating to expungement.

**HB 2219**, introduced by Representative Naeger, relating to intoxication-related traffic offenses.

**HB 2220**, introduced by Representative Naeger, et al, relating to biennial registration of motor vehicles.

**HB 2221**, introduced by Representatives Naeger, Hendrickson and Henderson, et al, relating to the pharmacy benefit management regulation.

**HB 2222**, introduced by Representatives Villa and Gratz, to authorize the conveyance of property owned by the state in the County of Cole to the General Services Administration.

**HB 2223**, introduced by Representative Wright, relating to the expiration of certain state initiatives and programs.

**HB 2224**, introduced by Representatives Hunter, Dempsey, Bearden and Crowell, et al, relating to income taxation.

**HB 2225**, introduced by Representatives Bearden, Crowell, Cunningham, Byrd, Jetton, Reid and Bartle, et al, relating to anti-terrorism and homeland security.

**HB 2226**, introduced by Representative Mayer, relating to unsolicited facsimiles.

**HB 2227**, introduced by Representative Quinn, relating to criminal justice.

**HB 2228**, introduced by Representative Lawson, relating to issuance of bonds for highway repair and construction.

**HB 2229**, introduced by Representatives Behnen and Shoemaker (8), relating to rural school districts.

**HB 2230**, introduced by Representatives Cooper and Marble, relating to the historic structures rehabilitation tax credit.

**HB 2231**, introduced by Representatives Bearden, Byrd, Hunter and Hanaway, et al, relating to estimates of revenue for state budget purposes.

### **ADJOURNMENT**

On motion of Representative Green (73), the House adjourned until 4:00 p.m, Monday, March 18, 2002.

### **COMMITTEE MEETINGS**

#### **BUDGET**

Monday, March 18, 2002, 10:00 a.m. Hearing Room 3.  
Executive Session on previously heard bills.  
House Bills 1102 through 1112.

#### **BUDGET**

Monday, March 18, 2002. Hearing Room 3 upon evening adjournment.  
Executive Session House Bills 1102 through 1112.

#### **BUDGET**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 3.  
Executive Session House Bills 1102 through 1112.

#### **BUDGET**

Tuesday, March 19, 2002. Hearing Room 3 upon morning adjournment.  
Executive Session House Bills 1102 through 1112.

#### **BUDGET**

Tuesday, March 19, 2002, 8:00 p.m. Hearing room 3 on adjournment

#### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, March 19, 2002. Hearing Room 4 upon morning adjournment.  
Executive Session may follow.  
To be considered - HB 1975, HB 1987, HB 2028

#### **CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Monday, March 18, 2002, 8:00 p.m. Hearing Room 5.  
Executive Session may follow.  
To be considered - HB 2015, HCR 30

**EDUCATION - ELEMENTARY AND SECONDARY**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 7.

To be considered - HB 1034, HB 1566, HB 1845, HCR 18

Executive Session - HB 1725, Executive Session - HB 1726, Executive Session - HCR 18

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Wednesday, March 20, 2002. Senate Lounge upon adjournment or 6:00 p.m.

Rule #19 CSR 60-50.200/300/400/410/420/430 450/700/800/900.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, March 19, 2002, 8:15 a.m. Senate Committee Room 1. AMENDED NOTICE.

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, March 19, 2002. Hearing Room 1 upon morning adjournment.

Executive Session to follow.

To be considered - HB 1763, HB 1786, HB 1868, HB 2041

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, March 19, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1259, HB 2052, HB 2160

**SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS**

Wednesday, March 20, 2002. Hearing Room 4 upon evening adjournment.

To be considered - HCR 24

**SUBCOMMITTEE ON BUDGET**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 4. CANCELLED.

To be considered - Executive Session - HB 1114

**WAYS AND MEANS**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1371, HB 1896, HB 2044, HB 2077

**HOUSE CALENDAR**

FORTIETH DAY, MONDAY, MARCH 18, 2002

**HOUSE BILLS FOR SECOND READING**

HB 2211 through HB 2231

## **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1762 - Harding
- 2 HB 1748 - Ransdall
- 3 HB 1994 - Hosmer
- 4 HB 1851 - Curls
- 5 HB 1773 - Shelton
- 6 HCS HB 1654 & 1156 - Hosmer
- 7 HB 1306 - Williams
- 8 HB 1926 - Fraser
- 9 HCS HB 1502 & 1821 - Luetkenhaus
- 10 HB 1455 - O'Toole
- 11 HCS HB 1735 - Hoppe
- 12 HB 1058 - Haywood
- 13 HCS HB 1756 - Reid
- 14 HCS HB 1443 - Barry
- 15 HB 1489 - Britt
- 16 HCS HB 1692 - Overschmidt

## **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HB 1679, as amended, HSA 1 for HA 11 & HA 11, pending - Crump
- 4 HCS HB 1479 - Ladd Baker
- 5 HB 1496 - Green (73)
- 6 HCS HB 1440 - Riback Wilson (25)
- 7 HCS HB 1556 - Rizzo
- 8 HCS HB 1689 - Treadway

## **HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

## **HOUSE BILLS FOR PERFECTION - CONSENT**

(3-13-02)

- 1 HB 1986 - Hosmer
- 2 HB 1196 - Barnett
- 3 HB 1041 - Myers

(3-14-02)

- 1 HB 1953 - Van Zandt
- 2 HB 2025 - Walton
- 3 HB 2123 - Barry
- 4 HB 1872 - Hosmer
- 5 HB 1881 - Rizzo
- 6 HB 2008 - O'Connor
- 7 HB 1837 - Berkowitz
- 8 HB 2031 - O'Connor
- 9 HB 1838 - Hosmer
- 10 HB 2047 - Ransdall
- 11 HB 2009 - O'Connor
- 12 HB 1867 - Griesheimer
- 13 HB 2022 - Richardson
- 14 HB 1969 - Reid

(3-15-02)

- 1 HB 2039 - Kreider
- 2 HB 2002 - Farnen
- 3 HB 2080 - Britt
- 4 HB 1537 - Clayton
- 5 HB 1674 - O'Toole
- 6 HB 1757 - George
- 7 HB 1635 - Hoppe
- 8 HB 1659 - Kelly (27)
- 9 HB 2130 - Boykins
- 10 HB 2026 - Green (15)
- 11 HB 1937 - Barry
- 12 HB 1811 - Gambaro
- 13 HB 1973 - Bowman
- 14 HB 2023 - Franklin
- 15 HB 2064 - Walton
- 16 HB 1964 - Gambaro
- 17 HB 1085 - Mays (50)
- 18 HB 2155 - Willoughby
- 19 HB 1812 - Riback Wilson (25)
- 20 HB 1839 - Seigfreid
- 21 HB 1776 - Harlan
- 22 HB 1636 - Hoppe
- 23 HB 1148 - Ross
- 24 HB 1645 - Griesheimer
- 25 HB 2018 - Bartle
- 26 HB 2001 - Hegeman

- 27 HB 1580 - Barnett
- 28 HB 1982 - Richardson
- 29 HB 1846 - Scott

(3-18-02)

- 1 HB 1903 - Liese
- 2 HB 2087 - Whorton
- 3 HB 1955 - Hilgemann
- 4 HB 1701 - Luetkenhaus
- 5 HB 2117 - Boucher
- 6 HB 2032 - Hosmer
- 7 HB 2062 - Hosmer
- 8 HB 1921 - Green (73)
- 9 HB 1803 - Green (73)
- 10 HB 2029 - Hosmer
- 11 HB 1890 - Hilgemann
- 12 HB 2120 - Ridgeway
- 13 HB 1715 - Moore

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HCS HB 1202 - Smith
- 4 HCS HB 1403 - St. Onge
- 5 HB 1592 - Hickey
- 6 HCS HB 1344 & 1944 - Crump
- 7 HS HCS HB 1532 - Hoppe
- 8 HCS HB 1898, E.C. - Campbell
- 9 HS HCS HB 1392 - Davis

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford
- 6 HB 1714 - Hilgemann
- 7 HB 1205 - Seigfreid

- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith
- 13 HB 1412 - Skaggs
- 14 HB 1918 - Koller
- 15 HB 1265 - Gratz
- 16 HB 1242 - Griesheimer
- 17 HB 1075 - Nordwald
- 18 HB 1320 - Reid
- 19 HB 1515 - Burton
- 20 HB 1569 - Davis
- 21 HB 1795 - Berkowitz
- 22 HB 1849 - Barnitz
- 23 HB 1745 - Koller
- 24 HB 1400 - Merideth
- 25 HB 1141 - Naeger
- 26 HB 1270 - Gratz
- 27 HB 1822 - Walton
- 28 HB 1783 - Lowe
- 29 HB 1768 - Hosmer
- 30 HB 1814 - Monaco
- 31 HB 1712 - Monaco
- 32 HB 1895 - Carnahan
- 33 HB 1722 - Hosmer
- 34 HB 1779 - Green (73)
- 35 HB 1788 - Ross
- 36 HB 1778 - Monaco
- 37 HB 1789 - Ross
- 38 HB 1314 - Mays (50)
- 39 HB 1632 - O'Connor
- 40 HB 1548 - Barry
- 41 HB 1473 - Green (15)
- 42 HB 1781 - Green (73)
- 43 HB 1194 - Gambaro
- 44 HB 1518 - Luetkenhaus
- 45 HB 1568 - Luetkenhaus
- 46 HB 1409 - Campbell
- 47 HB 1600 - Treadway
- 48 HB 1840 - Seigfreid
- 49 HB 1504 - Liese
- 50 HB 1852 - Villa
- 51 HB 1755 - Merideth
- 52 HB 1643 - Holand



- 53     HB 1861 - Burcham
- 54     HB 1032 - Portwood
- 55     HB 1313 - Burton
- 56     HB 1862 - May (149)

## **HOUSE RESOLUTIONS**

- 1     HR 150, (2-21-02, page 344) - Vogel
- 2     HCS HR 51, (3-7-02, pages 514 & 515) - Boykins
- 3     HR 278, (3-7-02, page 517) - Bonner
- 4     HR 262, (3-7-02, pages 516 & 517) - Williams
- 5     HR 341, (3-7-02, page 518) - Ladd Baker
- 6     HCS HR 361, (3-7-02, pages 518 & 519) - Hanaway
- 7     HR 318, (3-7-02, pages 517 & 518) - Crawford

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTIETH DAY, MONDAY, MARCH 18, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God of human history, we stand ready to acknowledge Your presence. With faith in You and in ourselves, we ask for enthusiasm for the tasks at hand. With hope in You and in our own history, we trust our efforts here are moving into a future even better for the human family. Your gift of charity binds the family of humankind residing in our state together.

For some in this Chamber, this week may hold out some suffering. With You, even that can have meaning. Whatever religion we may profess, or even if we are of no faith, steer all the works, joys, and sufferings of this day and this week towards positive conclusions in You. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelsey Ward, Tony Beltran and Tashia Merritt.

The Journal of the thirty-eighth day was approved as corrected.

The Journal of the thirty-ninth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 813 - Representative Murphy

House Resolution No. 814

and

House Resolution No. 815 - Representative Vogel

House Resolution No. 816 - Representative Williams

House Resolution No. 817 - Representative Selby

House Resolution No. 818 - Representative Green (73)

House Resolution No. 819 - Representative Crawford

House Resolution No. 820

through

House Resolution No. 824 - Representative Relford

House Resolution No. 825 - Representative Green (73), et al

House Resolution No. 826

through

House Resolution No. 828 - Representative Shoemyer (9)

House Resolution No. 829 - Representative Overschmidt

House Resolution No. 830

and

House Resolution No. 831 - Representative Hampton

## **SECOND READING OF HOUSE BILLS**

**HB 2211** through **HB 2231** were read the second time.

## **PERFECTION OF HOUSE BILLS - INFORMAL**

**HB 1496**, relating to tax increment financing, was taken up by Representative Green (73).

Representative Green (73) offered **HS HB 1496**.

Representative Green (73) offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Substitute for House Bill No. 1496, Page 31, Section 99.867, Line 23 of said page, by deleting the word "**poverty**" and inserting in lieu thereof the following: "**moderate income**"; and

Further amend said substitute, Page 32, Section 99.867, Line 16 of said page, by deleting the word "**poverty**" and inserting in lieu thereof the following: "**moderate income**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

Speaker Pro Tem Abel assumed the Chair.

Representative Griesheimer offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Substitute for House Bill No. 1496, by deleting Page 29, Line 20, to Page 31, Line 1, and inserting in lieu thereof the following:

**“99.866. 1. Sections 99.866 to 99.872 shall apply to any city not within a county and to any county with a charter form of government and with more than one million inhabitants.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Griesheimer moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Barnitz	Bearden	Behnen	Berkstresser	Boatright
Bonner	Boucher	Burcham	Burton	Cooper
Crawford	Crowell	Crump	Dempsey	Froelker
Gratz	Green 15	Griesheimer	Hampton	Hartzler
Henderson	Holt	Jetton	Jolly	Kelley 47
King	Legan	Lograsso	Long	Luetkemeyer
Luetkenhaus	May 149	Miller	Myers	Overschmidt
Purgason	Relford	Richardson	Ridgeway	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Surface	Wagner	Ward	Whorton	Willoughby

NOES: 097

Abel	Baker	Ballard	Barnett	Barry 100
Bartle	Berkowitz	Black	Bowman	Bray 84
Britt	Brooks	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Cunningham	Curls
Daus	Davis	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Green 73	Hagan-Harrell	Hanaway	Harding
Harlan	Hegeman	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Kelly 144	Kelly 27
Kelly 36	Koller	Lawson	Liese	Linton
Lowe	Marble	Marsh	Mayer	Mays 50
McKenna	Merideth	Monaco	Moore	Murphy
O'Connor	O'Toole	Ostmann	Paone	Phillips
Quinn	Ransdall	Rector	Reid	Reinhart
Reynolds	Robirds	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Williams	Wilson 25	Wilson 42
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer	Bland	Boykins	Byrd	Dolan
Enz	Haywood	Naeger	Nordwald	Portwood
Secrest	St. Onge	Walton		

VACANCIES: 003

Representative Bearden offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Substitute for House Bill No. 1496, Page 31, Section 99.867, Line 15 of said page, by inserting after all of said line the following: "**The proposed redevelopment project is primarily a retail project; and**" and renumber the remaining subdivisions accordingly; and

Further amend said bill, Page 32, Section 99.867, Line 2 of said page, by deleting the words "**that is primarily retail**"; and

Further amend said bill, Page 33, Section 99.870, Lines 8 to 14 of said page, by deleting all of said lines and inserting in lieu there of the following: "**taxing district is entitled during that tax year**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bearden, **House Amendment No. 3** was adopted.

Representative Foley offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Bill No. 1496, Page 5, Section 99.805, Line 17 of said page, by deleting the following: "**eighty**" and inserting in lieu thereof the following: "**ninety**"; and

Further amend said bill, Page 6, Section 99.805, Lines 3 and 8 of said page, by deleting the following: "**eighty**" and inserting in lieu thereof: "**ninety**".

On motion of Representative Foley, **House Amendment No. 4** was adopted.

Representative Barnitz offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Bill No. 1496, Page 30, Section 99.866, Lines 10 through 13, by deleting the words "**any county of the third classification without a township form of government and with more than twenty-two thousand eight hundred but less than twenty-two thousand nine hundred inhabitants,**"; and

Further amend said bill, Page 36, Section 99.871, Lines 2 through 5, by deleting the words "**any county of the third classification without a township form of government and with more than twenty-two thousand eight hundred but less than twenty-two thousand nine hundred inhabitants,**"; and

Further amend said bill, Page 39, Section 99.873, Lines 1 through 4, by deleting the words "**any county of the third classification without a township form of government and with more than twenty-two thousand eight hundred but less than twenty-two thousand nine hundred inhabitants,**".

On motion of Representative Barnitz, **House Amendment No. 5** was adopted.

Representative Crump offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Bill No. 1496, Page 30, Section 99.866, Lines 22 to 24, and Page 31, Line 1, by deleting the following: "**any county of the third classification without a township form of government and with more than twenty-three thousand two hundred fifty but less than twenty-three thousand three hundred fifty inhabitants.**"; and

Further amend said bill, Page 36, Section 99.871, Lines 14 to 17, by deleting the following: “**any county of the third classification without a township form of government and with more than twenty-three thousand two hundred fifty but less than twenty-three thousand three hundred fifty inhabitants.**”; and

Further amend said bill, Page 39, Section 99.873, Lines 13 to 16, by deleting the following: “**any county of the third classification without a township form of government and with more than twenty-three thousand two hundred fifty but less than twenty-three thousand three hundred fifty inhabitants.**”.

On motion of Representative Crump, **House Amendment No. 6** was adopted.

Representative Graham offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Substitute for House Bill No. 1496, Page 39, Section 99.873, Line 21, by inserting after said line the following:

“**99.874. No tax increment financing project shall be approved until all political subdivisions affected by the project, approve the project by a majority vote of the political subdivision’s governing body.**”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 7** was adopted.

Representative Griesheimer offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Substitute for House Bill No. 1496, Page 30, Section 99.866, Lines 8 through 10, by deleting the following: “**any county of the first classification without a charter form of government and with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants,**”; and

Further amend said bill, Page 35, Section 99.871, Lines 23 through 24 on Page 35, and Lines 1 and 2 on Page 36, by deleting the following: “**any county of the first classification without a charter form of government and with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants,**”; and

Further amend said bill, Page 38, Section 99.873, Lines 23 through 24 on Page 38, and Line 1 on Page 39, by deleting the following: “**any county of the first classification without a charter form of government and with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants,**”.

Representative Green (73) raised a point of order that **House Amendment No. 8** is dilatory.

The Chair ruled the point of order not well taken.

Representative Griesheimer moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

On motion of Representative Green (73), **HS HB 1496, as amended**, was adopted.

On motion of Representative Green (73), **HS HB 1496, as amended**, was ordered perfected and printed.

**HCS HB 1440**, relating to health insurance, was taken up by Representative Riback Wilson (25).

Representative Harlan offered **HS HCS HB 1440**.

Speaker Kreider resumed the Chair.

Representative Harlan offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1440, Page 11, Section 376.1550, Lines 9 through 23, by deleting all of said lines and inserting in lieu thereof the following:

**"(2) A health benefit plan that does not otherwise provide for management of care under the plan or that does not provide for the same degree of management of care for all health conditions may provide coverage for treatment of mental health conditions through a managed care organization; provided that the managed care organization assures that the system for delivery of treatment for mental health conditions does not diminish or negate the purpose of this section;"**; and

Further amend the title, enacting clause and intersection references accordingly.

On motion of Representative Harlan, **House Amendment No. 1** was adopted.

Representative Marble offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1440, Page 13, Section 376.1550, Line 6, by adding the following new sections immediately following said line:

**"376.1578. As used in sections 376.1575 to 376.1596, unless otherwise specifically provided, the following terms shall mean:**

**(1) "Appropriate committees of the general assembly" or "committees", standing committees of the Missouri state senate and house of representatives that have jurisdiction over issues that regulate health carriers, health care facilities, health care providers, or health care services;**

**(2) "Health carrier" or "carrier" shall have the same meaning as ascribed in section 376.1350;**

**(3) "Mandated health benefit", "mandated benefit", or "benefit", coverage or offering required by law to be provided by a health carrier to:**

**(a) Cover a specific health care service or services;**

**(b) Cover treatment of a specific condition or conditions; or**

**(c) Contract, pay, or reimburse specific categories of health care providers for specific services; a mandated option is not a mandated health benefit;**

**(4) "Mandated benefit review commission", the commission established pursuant to section 376.1581.**

**376.1581. 1. There is hereby established a commission to be known as the "Mandated Benefit Review Commission" within the department of insurance. The commission shall consist of the following members:**

**(1) The director of the department of insurance, who shall serve in a nonvoting, advisory capacity;**

**(2) The director of the department of health and senior services, who shall serve in a nonvoting, advisory**

capacity;

(3) Two members of the Missouri house of representatives, one from each major political party represented in the house of representatives, appointed by the speaker of the house who shall serve in a nonvoting, advisory capacity;

(4) Two members of the senate, one from each major political party represented in the senate, appointed by the president pro tem of the senate who shall serve in a nonvoting, advisory capacity;

(5) One member representing the interests of employers having more than one hundred employees, appointed by the governor with the advice and consent of the senate;

(6) One member representing the interests of employers having less than one hundred employees, appointed by the governor with the advice and consent of the senate;

(7) Two individual purchasers of health insurance policies appointed by the governor with the advice and consent of the senate; and

(8) Two employees that pay a percentage of their health insurance sponsored by their employers, appointed by the governor with the advice and consent of the senate.

2. Members appointed by the governor shall serve for four-year terms and until their successors are appointed. Provided, however, that the terms of half of the six original appointees shall be for two years. Other members, except legislative members, shall serve for as long as they hold the position which made them eligible for appointment. Legislative members shall serve during their current term of office but may be reappointed.

3. Members of the commission shall not be compensated for their services, but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties. The office of administration and the departments of health and insurance shall provide such support as the commission requires to aid it in the performance of its duties. The commission may consult with experts from the health research, biostatistics, actuarial science and other areas the commission deems appropriate.

4. The members appointed by the governor shall be residents of Missouri. Any vacancy on the commission shall be filled in the same manner as the original appointment.

5. The commission shall be established by October 1, 2002.

376.1584. 1. After the mandated benefit review commission has been established pursuant to section 376.1581, the commission shall review all existing state health care mandates and issue a report to the president pro tem of the senate, the speaker of the house of representatives, and the respective committees in both houses which handle health and insurance issues. The commission shall review the projected costs of all existing state and federal mandated benefits. The report shall state the costs of all current state and federal mandated benefits and recommend to the general assembly which mandated benefits should be repealed from state law.

2. The commission shall submit the list of the proposed deletions of state mandated benefits to the general assembly no later than the tenth legislative day of the session beginning in January, 2004. Notwithstanding any provision of law to the contrary, upon submittal, the general assembly may by resolution implement the recommendations of the mandated benefit review commission. The resolution shall contain all the recommendations of the commission.

376.1587. Whenever a legislative measure containing a mandated health benefit is proposed, the appropriate committee of the general assembly having jurisdiction over the proposal shall hold a public hearing and determine the level of support for the proposal among the members of the committee. If there is support for the proposed mandate among a majority of the members of the committee, the committee may refer the proposal to the mandated benefit review commission for review and evaluation pursuant to sections 376.1590 and 376.1593. Once a review and evaluation has been completed, the committee shall review the findings of the mandated benefit review commission. A proposed mandate may not be enacted into law unless review and evaluation pursuant to sections 376.1590 and 376.1593 has been completed.

376.1590. Every proposed legislative measure that mandates a health insurance coverage, whether by requiring payment for certain providers or by requiring an offering of a health insurance coverage by an insurer or health carrier as a component of individual or group health insurance policies, shall be accompanied by a report prepared by the mandated benefit review commission that assesses both the social and financial effects of the coverage in the manner provided in section 376.1593, including the efficacy of the treatment or service proposed.

376.1593. Upon referral of a mandated health benefit proposal from the appropriate committee of the general assembly having jurisdiction over the proposal, the mandated benefit review committee shall conduct a review and evaluation of the mandated health benefit proposal and shall report to the committee in a timely



manner. The report must include, at the minimum and to the extent that information is available, the following:

- (1) The social impact of mandating the benefit, including:
  - (a) The extent to which the treatment or service is utilized by a significant portion of the population;
  - (b) The extent to which the treatment or service is available to the population;
  - (c) The extent to which insurance coverage for this treatment or service is already available;
  - (d) If coverage is not generally available, the extent to which the lack of coverage results in persons being unable to obtain necessary health care treatment;
  - (e) If the coverage is not generally available, the extent to which the lack of coverage results in unreasonable financial hardship on those persons needing treatment;
  - (f) The level of public demand and the level of demand from providers for the treatment or service;
  - (g) The level of public demand and the level of demand from the providers for individual or group insurance coverage of the treatment or service;
  - (h) The level of interest in and the extent to which collective bargaining organizations are negotiating privately for inclusion of this coverage in group contracts;
  - (i) The likelihood of achieving the objectives of meeting a consumer need as evidenced by the experience of other states;
  - (j) The relevant findings of the state health planning agency or the appropriate health system agency relating to the social impact of the mandated benefit;
  - (k) The alternatives to meeting the identified need;
  - (l) Whether the benefit is a medical or a broader social need and whether it is consistent with the role of health insurance and the concept of managed care;
  - (m) The impact of any social stigma attached to the benefit upon the market;
  - (n) The impact of this benefit on the availability of other benefits currently being offered;
  - (o) The impact of the benefit as it relates to employers shifting to self-insured plans and the extent to which the benefit is currently being offered by employers with self-insured plans; and
  - (p) The impact of making the benefit applicable to the state employee health insurance program established pursuant to chapter 103, RSMo;
- (2) The financial impact of mandating the benefit, including:
  - (a) The extent to which the proposed insurance coverage would increase or decrease the cost of the treatment or service over the next five years;
  - (b) The extent to which the proposed coverage might increase the appropriate or inappropriate use of the treatment or service over the next five years;
  - (c) The extent to which the mandated treatment or service might serve as an alternative for more expensive or less expensive treatment or service;
  - (d) The methods that will be instituted to manage the utilization and costs of the proposed mandate;
  - (e) The extent to which the insurance coverage may affect the number and types of providers of the mandated treatment or service over the next five years;
  - (f) The extent to which insurance coverage of the health care service or provider may be reasonably expected to increase or decrease the insurance premium and administrative expenses of policyholders;
  - (g) The impact of indirect costs, which are costs other than premiums and administrative costs, on the question of the costs and benefits of coverage;
  - (h) The impact of this coverage on the total cost of health care, including potential benefits and savings to insurers and employers because the proposed mandated treatment or service prevents disease or illness or leads to the early detection and treatment of disease or illness that is less costly than treatment or service for later stages of a disease or illness;
  - (i) The effects of mandating the benefit on the cost of health care, particularly the premium and administrative expenses and indirect costs, to employers and employees, including the financial impact on small employers, medium-sized employers and large employers; and
  - (j) The effect of the proposed mandate on cost-shifting between private and public payors of health care coverage and on the overall cost of the health care delivery system in this state;
- (3) The medical efficacy of mandating the benefit, including:
  - (a) The contribution of the benefit to the quality of patient care and the health status of the population, including the results of any research demonstrating the medical efficacy of the treatment or service compared to alternatives or not providing the treatment or service; and

- (b) If the legislation seeks to mandate coverage of an additional class of practitioners:
- a. The results of any professionally acceptable research demonstrating the medical results achieved by the additional class of practitioners relative to those already covered; and
  - b. The methods of the appropriate professional organization that assure clinical proficiency; and
- (4) The effects of balancing the social, economic and medical efficacy considerations, including:
- (a) The extent to which the need for coverage outweighs the costs of mandating the benefit for all policyholders;
  - (b) The extent to which the problem of coverage may be solved by mandating the availability of the coverage as an option for policyholders; and
  - (c) The cumulative impact of mandating this benefit in combination with existing mandates on the costs and availability of coverage.”; and

Further amend said bill, title and enacting clause accordingly.

Representative Marble moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 059

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Froelker	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Myers	Ostmann
Phillips	Purgason	Quinn	Rector	Reinhart
Richardson	Ridgeway	Roark	Robirds	Schwab
Scott	Shields	Shoemaker	Surface	Townley
Vogel	Ward	Whorton	Wright	

NOES: 080

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Copenhaver
Crump	Curls	Daus	Davis	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Lawson	Liese	Lowe	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	O'Connor
O'Toole	Overschmidt	Paone	Ransdall	Reid
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 021

Bartelsmeyer	Bland	Byrd	Clayton	Dolan
Enz	Haywood	Hickey	Koller	Linton
Lograsso	Long	Luetkenhaus	Naeger	Nordwald
Portwood	Ross	Secrest	St. Onge	Wagner
Walton				

VACANCIES: 003

**HCS HB 1440, with HS, as amended, pending,** was laid over.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HS HCS HB 1392** - Fiscal Review and Government Reform (Fiscal Note)

**HB 2163** - Correctional and State Institutions

### **COMMITTEE REPORTS**

**Committee on Commerce and Economic Development**, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **HB 1143**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1460**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1850**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Professional Registration and Licensing**, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1869**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Urban Affairs**, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 1488**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 1509** and **HB 1510**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 794**, entitled:

An act to amend chapter 167, RSMo, by adding thereto one new section relating to educational programs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 795**, entitled:

An act to amend chapter 650, RSMo, by adding thereto eight new sections relating to emergency communication systems.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 821**, entitled:

An act to repeal sections 640.651 and 640.653, RSMo, relating to energy efficiency, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

### WITHDRAWAL OF HOUSE BILL

March 18, 2002

The Honorable Jim Kreider  
Speaker  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 2054** be withdrawn.

Thank you for your consideration of this matter.

Sincerely,

/s/ Beth Long

The following member's presence was noted: Treadway.

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, March 19, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Thirty-eighth Day, Thursday, March 14, 2002, pages 616 and 617, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Pages 616 and 617, roll call, by showing Representative Kelly (144) voting "no" rather than "absent with leave".

Pages 620 and 621, roll call, by showing Representatives Behnen, Cooper, Marsh and Surface voting "aye" rather than "absent with leave".

Pages 620 and 621, roll call, by showing Representatives Jolly and Robirds voting "no" rather than "absent with leave".

Page 622, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **BUDGET**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 3.  
Executive Session House Bills 1102 through 1112.

### **BUDGET**

Tuesday, March 19, 2002. Hearing Room 3 upon morning adjournment.  
Executive Session House Bills 1102 through 1112.

### **BUDGET**

Tuesday, March 19, 2002, 8:00 p.m. Hearing room 3 on adjournment

### **BUDGET**

Tuesday, March 19, 2002, 6:00 p.m. Hearing Room 3 upon afternoon recess or 6:00 p.m.  
Executive Session on House Bills 1102 through 1112. AMENDED NOTICE.

### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, March 19, 2002. Hearing Room 4 upon morning adjournment.  
Executive Session may follow.  
To be considered - HB 1975, HB 1987, HB 2028

**CIVIL AND ADMINISTRATIVE LAW**

Wednesday, March 20, 2002. Hearing Room 1 upon morning adjournment.

To be considered - HB 2151, Executive Session - HB 1968

**COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, March 19, 2002. Hearing Room 6 upon morning adjournment.

Executive Session may follow. CANCELLED.

To be considered - HB 1662

**COMMERCE AND ECONOMIC DEVELOPMENT**

Wednesday, March 20, 2002. Hearing Room 6 upon evening adjournment.

Executive Session.

**EDUCATION - ELEMENTARY AND SECONDARY**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 7.

To be considered - HB 1034, HB 1566, HB 1845, HCR 18

Executive Session - HB 1725, Executive Session - HB 1726, Executive Session - HCR 18

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Wednesday, March 20, 2002, 6:00 p.m. Senate Lounge upon adjournment or 6:00 p.m.

Rule #19 CSR 60-50.200/300/400/410/420/430 450/700/800/900.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, March 19, 2002, 8:15 a.m. House Hearing Room 4. AMENDED NOTICE.

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, March 19, 2002. Hearing Room 7 upon morning adjournment. AMENDED.

Executive Session may follow.

To be considered - HB 1913, HB 1956, HB 2011, HB 2051, HB 2060, HB 2113

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, March 19, 2002. Hearing Room 1 upon morning adjournment.

Executive Session to follow.

To be considered - HB 1763, HB 1786, HB 1868, HB 2041

**PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, March 19, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1259, HB 2052, HB 2160

**SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS**

Wednesday, March 20, 2002. Hearing Room 4 upon evening adjournment.

To be considered - HCR 24

**SUBCOMMITTEE ON BUDGET**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 4. CANCELLED.

To be considered - Executive Session - HB 1114

**TRANSPORTATION**

Wednesday, March 20, 2002. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 1620, HB 1806, HB 1922

**WAYS AND MEANS**

Tuesday, March 19, 2002, 8:00 a.m. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1371, HB 1896, HB 2044, HB 2077

**HOUSE CALENDAR**

FORTY-FIRST DAY, TUESDAY, MARCH 19, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1762 - Harding
- 2 HB 1748 - Ransdall
- 3 HB 1994 - Hosmer
- 4 HB 1851 - Curls
- 5 HB 1773 - Shelton
- 6 HCS HB 1654 & 1156 - Hosmer
- 7 HB 1306 - Williams
- 8 HB 1926 - Fraser
- 9 HCS HB 1502 & 1821 - Luetkenhaus
- 10 HB 1455 - O'Toole
- 11 HCS HB 1735 - Hoppe
- 12 HB 1058 - Haywood
- 13 HCS HB 1756 - Reid
- 14 HCS HB 1443 - Barry
- 15 HB 1489 - Britt
- 16 HCS HB 1692 - Overschmidt
- 17 HB 1460 - Hilgemann
- 18 HB 1488 - Skaggs
- 19 HCS HB 1509 & 1510 - Curls
- 20 HB 1850 - O'Toole
- 21 HB 1869 - Barry
- 22 HCS HB 1143 - Rizzo

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HB 1679, as amended, HSA 1 for HA 11 & HA 11, pending - Crump
- 4 HCS HB 1479 - Ladd Baker
- 5 HCS HB 1440, HS, as amended, pending - Riback Wilson (25)
- 6 HCS HB 1556 - Rizzo
- 7 HCS HB 1689 - Treadway

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3-13-02)

- 1 HB 1986 - Hosmer
- 2 HB 1196 - Barnett
- 3 HB 1041 - Myers

(3-14-02)

- 1 HB 1953 - Van Zandt
- 2 HB 2025 - Walton
- 3 HB 2123 - Barry
- 4 HB 1872 - Hosmer
- 5 HB 1881 - Rizzo
- 6 HB 2008 - O'Connor
- 7 HB 1837 - Berkowitz
- 8 HB 2031 - O'Connor
- 9 HB 1838 - Hosmer
- 10 HB 2047 - Ransdall
- 11 HB 2009 - O'Connor
- 12 HB 1867 - Griesheimer
- 13 HB 2022 - Richardson
- 14 HB 1969 - Reid

(3-15-02)

- 1 HB 2039 - Kreider
- 2 HB 2002 - Farnen
- 3 HB 2080 - Britt
- 4 HB 1537 - Clayton



- 5     HB 1674 - O'Toole
- 6     HB 1757 - George
- 7     HB 1635 - Hoppe
- 8     HB 1659 - Kelly (27)
- 9     HB 2130 - Boykins
- 10    HB 2026 - Green (15)
- 11    HB 1937 - Barry
- 12    HB 1811 - Gambaro
- 13    HB 1973 - Bowman
- 14    HB 2023 - Franklin
- 15    HB 2064 - Walton
- 16    HB 1964 - Gambaro
- 17    HB 1085 - Mays (50)
- 18    HB 2155 - Willoughby
- 19    HB 1812 - Riback Wilson (25)
- 20    HB 1839 - Seigfreid
- 21    HB 1776 - Harlan
- 22    HB 1636 - Hoppe
- 23    HB 1148 - Ross
- 24    HB 1645 - Griesheimer
- 25    HB 2018 - Bartle
- 26    HB 2001 - Hegeman
- 27    HB 1580 - Barnett
- 28    HB 1982 - Richardson
- 29    HB 1846 - Scott

(3-18-02)

- 1     HB 1903 - Liese
- 2     HB 2087 - Whorton
- 3     HB 1955 - Hilgemann
- 4     HB 1701 - Luetkenhaus
- 5     HB 2117 - Boucher
- 6     HB 2032 - Hosmer
- 7     HB 2062 - Hosmer
- 8     HB 1921 - Green (73)
- 9     HB 1803 - Green (73)
- 10    HB 2029 - Hosmer
- 11    HB 1890 - Hilgemann
- 12    HB 2120 - Ridgeway
- 13    HB 1715 - Moore

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HCS HB 1202 - Smith
- 4 HCS HB 1403 - St. Onge
- 5 HB 1592 - Hickey
- 6 HCS HB 1344 & 1944 - Crump
- 7 HS HCS HB 1532 - Hoppe
- 8 HCS HB 1898, E.C. - Campbell
- 9 HS HCS HB 1392, (Fiscal Review 3-18-02) - Davis

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1159 - Boykins
- 2 HB 1214 - Davis
- 3 HB 1624 - Skaggs
- 4 HB 1204 - Seigfreid
- 5 HB 1093 - Relford
- 6 HB 1714 - Hilgemann
- 7 HB 1205 - Seigfreid
- 8 HB 1411 - Skaggs
- 9 HB 1094 - Relford
- 10 HB 1397 - Ransdall
- 11 HB 1391 - Smith
- 12 HB 1272 - Smith
- 13 HB 1412 - Skaggs
- 14 HB 1918 - Koller
- 15 HB 1265 - Gratz
- 16 HB 1242 - Griesheimer
- 17 HB 1075 - Nordwald
- 18 HB 1320 - Reid
- 19 HB 1515 - Burton
- 20 HB 1569 - Davis
- 21 HB 1795 - Berkowitz
- 22 HB 1849 - Barnitz
- 23 HB 1745 - Koller
- 24 HB 1400 - Merideth
- 25 HB 1141 - Naeger
- 26 HB 1270 - Gratz
- 27 HB 1822 - Walton
- 28 HB 1783 - Lowe
- 29 HB 1768 - Hosmer
- 30 HB 1814 - Monaco
- 31 HB 1712 - Monaco

- 32     HB 1895 - Carnahan
- 33     HB 1722 - Hosmer
- 34     HB 1779 - Green (73)
- 35     HB 1788 - Ross
- 36     HB 1778 - Monaco
- 37     HB 1789 - Ross
- 38     HB 1314 - Mays (50)
- 39     HB 1632 - O'Connor
- 40     HB 1548 - Barry
- 41     HB 1473 - Green (15)
- 42     HB 1781 - Green (73)
- 43     HB 1194 - Gambaro
- 44     HB 1518 - Luetkenhaus
- 45     HB 1568 - Luetkenhaus
- 46     HB 1409 - Campbell
- 47     HB 1600 - Treadway
- 48     HB 1840 - Seigfreid
- 49     HB 1504 - Liese
- 50     HB 1852 - Villa
- 51     HB 1755 - Merideth
- 52     HB 1643 - Holand
- 53     HB 1861 - Burcham
- 54     HB 1032 - Portwood
- 55     HB 1313 - Burton
- 56     HB 1862 - May (149)

#### **SENATE BILLS FOR SECOND READING**

- 1     SB 794
- 2     SB 795
- 3     SCS SB 821

#### **HOUSE RESOLUTIONS**

- 1     HR 150, (2-21-02, page 344) - Vogel
- 2     HCS HR 51, (3-7-02, pages 514 & 515) - Boykins
- 3     HR 278, (3-7-02, page 517) - Bonner
- 4     HR 262, (3-7-02, pages 516 & 517) - Williams
- 5     HR 341, (3-7-02, page 518) - Ladd Baker
- 6     HCS HR 361, (3-7-02, pages 518 & 519) - Hanaway
- 7     HR 318, (3-7-02, pages 517 & 518) - Crawford

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTY-FIRST DAY, TUESDAY, MARCH 19, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Almighty God, You are the Holy One and the Just One. Build Your home again in this Chamber today. Open the hearts and minds of these representatives. Align them with Your good, that Your spirit may always wend its way to the heart of the laws to be considered today. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Blake Buchert, Skippy Weston, Lauren Steinhoff, Kevin Weston, Jennifer Gennon, Nick Watson, Danielle Porter, Robert DeGraaff, Monica Durrwachter, Lisa McKay, Jeremy Schaffner, Jeff Syc, Alicia Reese, Ross Sifford, Erin Ward, Stephanie Huett, Andrea Linder, Kayla Lightfoot, Debbie DeGregorio, Emily DeGregorio, Cyndey Schildroth, Bronwen Voss, Ann Armstrong, Garrett Holt, Michael Lutz, Jacquelyn Rice, Joe Leemann, Brandy Kimminau, Phillip Kleekamp, Rachel Hellmann, Elizabeth Hellmann and Matthew Hellmann.

The Journal of the fortieth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 832 - Representative Myers  
House Resolution No. 833 - Representative Wright  
House Resolution No. 834  
and  
House Resolution No. 835 - Representative Mayer  
House Resolution No. 836 - Representative Luetkenhaus  
House Resolution No. 837 - Representative Shields  
House Resolution No. 838 - Representative Gratz  
House Resolution No. 839 - Representative Overschmidt

## SECOND READING OF SENATE BILLS

**SB 794, SB 795 and SCS SB 821** were read the second time.

## PERFECTION OF HOUSE BILL - INFORMAL

**HCS HB 1440, with HS, as amended, pending**, relating to health insurance, was taken up by Representative Riback Wilson (25).

Representative Luetkenhaus offered **House Amendment No. 3**.

**House Amendment No. 3** was withdrawn.

Representative Luetkenhaus offered **House Amendment No. 3**.

### *House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1440, Page 1, Section 376.779, Line 15 of said page, by deleting the opening bracket; and

Further amend said bill, Page 3, Section 376.779, Line 21, by deleting the closing bracket; and

Further amend said bill, Page 6, Section 376.811, Line 16, by striking the following: “[offer] **provide**” and inserting in lieu thereof the following: “**offer**”.

On motion of Representative Luetkenhaus, **House Amendment No. 3** was adopted by the following vote:

AYES: 086

Ballard	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Bowman
Brooks	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Enz	Froelker	Gambara	Gaskill
Gratz	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Holt
Hunter	Jetton	Kelley 47	Kelly 144	King
Koller	Legan	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Miller	Monaco	Moore
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Shields
Shoemaker	Smith	St. Onge	Surface	Townley
Treadway	Vogel	Wagner	Ward	Whorton
Wright				

NOES: 064

Baker	Barry 100	Berkowitz	Bland	Bonner
Boucher	Boykins	Bray 84	Britt	Campbell
Carnahan	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Farnen	Foley	Franklin
Fraser	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood

Hickey	Hilgemann	Hollingsworth	Hosmer	Johnson 90
Jolly	Kelly 27	Kelly 36	Lawson	Lowe
Mays 50	McKenna	Murphy	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Reid	Relford
Reynolds	Rizzo	Scheve	Selby	Shelton
Shoemyer	Thompson	Van Zandt	Villa	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 002

Fares Johnson 61

ABSENT WITH LEAVE: 008

Abel	Bartelsmeyer	Dolan	Hoppe	Merideth
Skaggs	Troupe	Walton		

VACANCIES: 003

Representative Burton offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill No. 1440, Page 7, Section 376.811.1(3), Line 4, by deleting the word “**ten**” and inserting in lieu thereof the word “**three**”.

Representative Portwood offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill No. 1440, Page 11, Section 376.811, Line 21, by deleting the words “**of not less**” and inserting in lieu thereof the following: “**not to exceed**”; and

Further amend said section, Line 4, by deleting the words “**of not less than ten**” and inserting in lieu thereof the following: “**not to exceed five**”.

On motion of Representative Portwood, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

On motion of Representative Harlan, **HS HCS HB 1440, as amended**, was adopted.

On motion of Representative Harlan, **HS HCS HB 1440, as amended**, was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 3:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Olivia Griffin, Sarah Heitzman, Dixie Griffin, Ben Hohenstein, Sam Hohenstein, Lydia Hohenstein, Zack Hohenstein, Paul Grotelueschen, Mike Grotelueschen, Drew Grotelueschen, John Grotelueschen, Kim Grotelueschen and Bethany Grotelueschen.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 840  
through  
House Resolution No. 853 - Representatives Enz and Fares  
House Resolution No. 854  
through  
House Resolution No. 867 - Representatives Murphy and Enz  
House Resolution No. 868  
through  
House Resolution No. 893 - Representative Murphy  
House Resolution No. 894 - Representative Griesheimer  
House Resolution No. 895  
and  
House Resolution No. 896 - Representative Shoemaker (8)  
House Resolution No. 897 - Representative Portwood  
House Resolution No. 898 - Representative Overschmidt  
House Resolution No. 899 - Representatives Harding and Phillips

### **PERFECTION OF HOUSE BILLS - INFORMAL**

**HCS HB 1556**, relating to investment funds service corporations, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HCS HB 1556** was adopted.

On motion of Representative Rizzo, **HCS HB 1556** was ordered perfected and printed.

**HCS HB 1689**, relating to professional registration, was taken up by Representative Treadway.

Representative Hampton offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1689, by inserting at the appropriate location the following sections:

"339.710. For purposes of sections 339.710 to 339.860, the following terms mean:

(1) "Adverse material fact", a fact related to the physical condition of the property not reasonably ascertainable or known to a party which negatively affects the value of the property. Adverse material facts may include matters pertaining to:

- (a) Environmental hazards affecting the property;
- (b) Physical condition of the property which adversely affects the value of the property;
- (c) Material defects in the property;
- (d) Material defects in the title to the property;
- (e) Material limitation of the party's ability to perform under the terms of the contract;
- (2) "Affiliated licensee", any broker or salesperson who works under the supervision of a designated broker;
- (3) "Agent", a person or entity acting pursuant to the provisions of this chapter;
- (4) "Broker disclosure form", the current form prescribed by the commission for presentation to a seller,

landlord, buyer or tenant who has not entered into a written agreement for brokerage services;

(5) "Brokerage relationship", the relationship created between a designated broker, the broker's affiliated licensees, and a client relating to the performance of services of a broker as defined in section 339.010, and sections 339.710 to 339.860. If a designated broker makes an appointment of an affiliated licensee or affiliated licensees pursuant to section 339.820, such brokerage relationships are created between the appointed licensee or licensees and the client. Nothing in this subdivision shall:

- (a) Alleviate the designated broker from duties of supervision of the appointed licensee or licensees; or
- (b) Alter the designated broker's underlying contractual agreement with the client;
- (6) "Client", a seller, landlord, buyer, or tenant who has entered into a brokerage relationship with a licensee

pursuant to sections 339.710 to 339.860;

(7) **"Commercial real estate", any real estate other than real estate containing one to four residential units, real estate on which no buildings or structures are located, or real estate classified as agricultural and horticultural property for assessment purposes pursuant to section 137.016, RSMo. Commercial real estate does not include single family residential units including condominiums, townhouses, or homes in a subdivision when that real estate is sold, leased, or otherwise conveyed on a unit-by-unit basis even though the units may be part of a larger building or parcel of real estate containing more than four units.**

(8) "Commission", the Missouri real estate commission;

[(8)] (9) "Confidential information", information obtained by the licensee from the client and designated as confidential by the client, information made confidential by sections 339.710 to 339.860 or any other statute or regulation, or written instructions from the client unless the information is made public or becomes public by the words or conduct of the client to whom the information pertains or by a source other than the licensee;

[(9)] (10) "Customer", an actual or potential seller, landlord, buyer, or tenant in a real estate transaction in which a licensee is involved but who has not entered into a brokerage relationship with a licensee;

[(10)] (11) "Designated agent", a licensee named by a designated broker as the limited agent of a client as provided for in section 339.820;

[(11)] (12) "Designated broker", any individual licensed as a broker who is operating pursuant to the definition of "real estate broker" as defined in section 339.010, or any individual licensed as a broker who is appointed by a partnership, association, limited liability corporation, or a corporation engaged in the real estate brokerage business to be responsible for the acts of the partnership, association, limited liability corporation, or corporation. Every real estate partnership, association, or limited liability corporation, or corporation shall appoint a designated broker;

[(12)] (13) "Designated transaction broker", a licensee named by a designated broker or deemed appointed by a designated broker as the transaction broker for a client pursuant to section 339.820;

[(13)] (14) "Dual agency", a form of agency which may result when an agent licensee or someone affiliated with the agent licensee represents another party to the same transaction;

[(14)] (15) "Dual agent", a limited agent who, with the written consent of all parties to a contemplated real estate transaction, has entered into an agency brokerage relationship, and not a transaction brokerage relationship, with and therefore represents both the seller and buyer or both the landlord and tenant;

[(15)] (16) "Licensee", a real estate broker or salesperson as defined in section 339.010;

[(16)] (17) "Limited agent", a licensee whose duties and obligations to a client are those set forth in sections 339.730 to 339.750;

[(17)] (18) "Ministerial acts", those acts that a licensee may perform for a person or entity that are informative in nature and do not rise to the level which requires the creation of a brokerage relationship. Examples of these acts



include, but are not limited to:

- (a) Responding to telephone inquiries by consumers as to the availability and pricing of brokerage services;
- (b) Responding to telephone inquiries from a person concerning the price or location of property;
- (c) Attending an open house and responding to questions about the property from a consumer;
- (d) Setting an appointment to view property;
- (e) Responding to questions of consumers walking into a licensee's office concerning brokerage services offered on particular properties;
- (f) Accompanying an appraiser, inspector, contractor, or similar third party on a visit to a property;
- (g) Describing a property or the property's condition in response to a person's inquiry;
- (h) Showing a customer through a property being sold by an owner on his or her own behalf; or
- (i) Referral to another broker or service provider;

**(19) "Residential real estate", all real property improved by a structure that is used or intended to be used primarily for residential living by human occupants and that contains not more than four dwelling units or that contains single dwelling units owned as a condominium or in a cooperative housing association, and vacant land classified as residential property. The term "cooperative housing association", means an association, whether incorporated or unincorporated, organized for the purpose of owning and operating residential real property in Missouri, the shareholders or members of which, by reason of their ownership of a stock or membership certificate, a proprietary lease, or other evidence of membership, are entitled to occupy a dwelling unit pursuant to the terms of a proprietary lease or occupancy agreement;**

[(18)] **(20) "Single agent", a licensee who has entered into a brokerage relationship with and therefore represents only one party in a real estate transaction. A single agent may be one of the following:**

- (a) "Buyer's agent", which shall mean a licensee who represents the buyer in a real estate transaction;
- (b) "Seller's agent", which shall mean a licensee who represents the seller in a real estate transaction; and
- (c) "Landlord's agent", which shall mean a licensee who represents a landlord in a leasing transaction;
- (d) "Tenant's agent", which shall mean a licensee who represents the tenant in a leasing transaction;

[(19)] **(21) "Subagent", a designated broker, together with the broker's affiliated licensees, engaged by another designated broker, together with the broker's affiliated or appointed affiliated licensees, to act as a limited agent for a client, or a designated broker's unappointed affiliated licensees engaged by the designated broker, together with the broker's appointed affiliated licensees, to act as a limited agent for a client. A subagent owes the same obligations and responsibilities to the client pursuant to sections 339.730 to 339.740 as does the client's designated broker;**

[(20)] **(22) "Transaction broker", any licensee acting pursuant to sections 339.710 to 339.860, who:**

- (a) Assists the parties to a transaction without an agency or fiduciary relationship to either party and is, therefore, neutral, serving neither as an advocate or advisor for either party to the transaction;
- (b) Assists one or more parties to a transaction and who has not entered into a specific written agency agreement to represent one or more of the parties; or
- (c) Assists another party to the same transaction either solely or through licensee affiliates. Such licensee shall be deemed to be a transaction broker and not a dual agent, provided that, notice of assumption of transaction broker status is provided to the buyer and seller immediately upon such default to transaction broker status, to be confirmed in writing prior to execution of the contract.

339.720. 1. A licensee's general duties and obligations arising from the limited agency relationship shall be disclosed in writing to the seller and the buyer or to the landlord and the tenant pursuant to sections 339.760 to 339.780. Alternatively, when engaged in any of the activities enumerated in section 339.010, a licensee may act as an agent in any transaction in accordance with a written agreement as described in section 339.780.

2. A licensee shall be considered a transaction broker unless:

- (1) The designated broker enters into a written seller's agent or landlord's agent agreement with the party or parties to be represented pursuant to subsection 2 of section 339.780;
- (2) The designated broker enters into a subagency agreement with another designated broker pursuant to subsection 5 of section 339.780;
- (3) The designated broker [enters into a written buyer's agent or tenant's agent agreement with the party or parties to be represented pursuant to subsection 3 of section 339.780] **establishes a buyer's or tenant's agency relationship pursuant to subsection 3 of section 339.780;**
- (4) The designated broker enters into a written agency agreement pursuant to subsection 7 of section 339.780;
- (5) The designated broker and the affiliated licensees are performing ministerial acts;
- (6) The designated broker enters into a written dual agency agreement with the parties pursuant to subsection

4 of section 339.780;

(7) The designated broker is acting in a manner described in paragraph (c) of subdivision [(20)] **(22)** of section 339.710 without proper notice of assumption of transaction broker status; or

(8) The licensee is making a listing presentation, which may include pricing and marketing advice about a potential future transaction, to a customer in anticipation of entering into a signed agency brokerage service agreement as a direct result of the presentation.

3. Sections 339.710 to 339.860 do not obligate any buyer or tenant to pay compensation to a designated broker unless the buyer or tenant has entered into a written agreement with the designated broker specifying the compensation terms in accordance with subsection 3 of section 339.780.

4. A licensee may work with a single party in separate transactions pursuant to different relationships, including, but not limited to, selling one property as a transaction broker or a seller's agent working with that seller in buying another property as a buyer's agent, as a subagent or as a transaction broker if the licensee complies with sections 339.710 to 339.860 in establishing the relationships for each transaction.

339.770. 1. **In a residential real estate transaction**, at the earliest practicable opportunity during or following the first substantial contact by the designated broker or the affiliated licensees with a seller, landlord, buyer, or tenant who has not entered into a written agreement for services as described in subdivision (5) of section 339.710, the licensee shall provide that person with a written copy of the current broker disclosure form which has been prescribed by the commission.

2. When a seller, landlord, buyer, or tenant has already entered into a written agreement for services with a designated broker, no other licensee shall be required to make the disclosures required by this section.

3. Disclosures made in accordance with sections 339.710 to 339.860 shall be sufficient as a matter of law to disclose brokerage relationships to the public."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hampton, **House Amendment No. 1** was adopted.

Representative Shields offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1689 by inserting at the appropriate location the following sections:

"332.051. 1. The board shall establish and maintain an office at Jefferson City, Missouri, where its records and files shall be kept.

2. Investigators employed by the board shall, among other duties, have the power in the name of the board to investigate alleged violations of this chapter including the right to inspect, on order of the board, dental offices, including records, dental laboratories, dental equipment and instruments, **and not-for-profit corporations licensed to practice dentistry in this state, including patient records, records of the not-for-profit corporation, and locations where not-for-profit corporations practice dentistry**, with respect to violations of the provisions of this chapter.

332.071. A person or other entity "practices dentistry" within the meaning of this chapter who:

(1) Undertakes to do or perform dental work or dental services or dental operations or oral surgery, by any means or methods, gratuitously or for a salary or fee or other reward, paid directly or indirectly to the person or to any other person or entity;

(2) Diagnoses or professes to diagnose, prescribes for or professes to prescribe for, treats or professes to treat, any disease, pain, deformity, deficiency, injury or physical condition of human teeth or adjacent structures or treats or professes to treat any disease or disorder or lesions of the oral regions;

(3) Attempts to or does replace or restore a part or portion of a human tooth;

(4) Attempts to or does extract human teeth or attempts to or does correct malformations of human teeth or jaws;

(5) Attempts to or does adjust an appliance or appliances for use in or used in connection with malposed teeth in the human mouth;

(6) Interprets or professes to interpret or read dental radiographs;  
 (7) Administers an anesthetic in connection with dental services or dental operations or dental surgery;  
 (8) Undertakes to or does remove hard and soft deposits from or polishes natural and restored surfaces of teeth;  
 (9) Uses or permits to be used for the person's benefit or for the benefit of any other person or other entity the following titles or words in connection with the person's name: "Doctor", "Dentist", "Dr.", "D.D.S.", or "D.M.D.", or any other letters, titles, degrees or descriptive matter which directly or indirectly indicate or imply that the person is willing or able to perform any type of dental service for any person or persons, or uses or permits the use of for the person's benefit or for the benefit of any other person or other entity any card, directory, poster, sign or any other means by which the person indicates or implies or represents that the person is willing or able to perform any type of dental services or operation for any person;

(10) Directly or indirectly owns, leases, operates, maintains, manages or conducts an office or establishment of any kind in which dental services or dental operations of any kind are performed for any purpose; but this section shall not be construed to prevent owners or lessees of real estate from lawfully leasing premises to those who are qualified to practice dentistry within the meaning of this chapter;

(11) Constructs, supplies, reproduces or repairs any prosthetic denture, bridge, artificial restoration, appliance or other structure to be used or worn as a substitute for natural teeth, except when one, not a registered and licensed dentist, does so pursuant to a written uniform laboratory work order, in the form to be prescribed by the board and copies of which shall be retained by the nondentist for two years, of a dentist registered and currently licensed in Missouri and which the substitute in this subdivision described is constructed upon or by use of casts or models made from an impression furnished by a dentist registered and currently licensed in Missouri;

(12) Attempts to or does place any substitute described in subdivision (11) of this section in a human mouth or attempts to or professes to adjust any substitute or delivers any substitute to any person other than the dentist upon whose order the work in producing the substitute was performed;

(13) Advertises, solicits, or offers to or does sell or deliver any substitute described in subdivision (11) of this section or offers to or does sell the person's services in constructing, reproducing, supplying or repairing the substitute to any person other than a registered and licensed dentist in Missouri;

(14) Undertakes to do or perform any physical evaluation of a patient in the person's office or in a hospital, clinic, or other medical or dental facility prior to or incident to the performance of any dental services, dental operations, or dental surgery;

**(15) Reviews examination findings, x-rays, or other patient data to make judgements or decisions about the dental care of a patient in this state.**

332.081. 1. No person, **corporation, or entity** shall practice dentistry in Missouri as defined in section 332.071 unless and until the board has issued to the person a certificate certifying that the person has been duly registered as a dentist in Missouri and unless and until the board has issued to the person a license, to be renewed each period as provided in this chapter, to practice dentistry in Missouri; but nothing in this chapter shall be so construed as to make it unlawful for a legally qualified and licensed physician or surgeon, who does not practice dentistry as a specialty, from extracting teeth, or to make it unlawful for a dentist licensed in a state other than Missouri from making a clinical demonstration before a meeting of dentists in Missouri, or to make it unlawful for dental students in any accredited dental school to practice dentistry under the personal direction of instructors, or to make it unlawful for any duly registered and licensed dental hygienist in Missouri to practice as a dental hygienist as defined in section 332.091, or to make it unlawful for dental assistants, certified dental assistants or expanded functions dental assistants to be delegated duties as defined in section 332.093, or to make it unlawful for persons to practice dentistry in the United States armed services or in or for the United States Public Health Service, or in or for the United States Veterans Bureau, or to make it unlawful to teach in an accredited dental school, or to make it unlawful for a duly qualified anesthesiologist or anesthetist to administer an anesthetic in connection with dental services or dental surgery.

2. No corporation shall practice dentistry as defined in section 332.071 unless that corporation is organized as **a not-for-profit corporation under the provisions of chapter 355, RSMo, and has the status of an organization under 26 U.S.C. Section 501(c)(3), or is organized** under the provisions of chapter 356, RSMo.

**3. A not-for-profit corporation organized under the provisions of chapter 355, RSMo, and qualifying as an organization under 26 U.S.C. Section 501(c)(3) shall:**

(1) **Only provide dental services to Medicaid recipients and individuals who have income below two hundred percent of the federal poverty level unless mandated by federal law;**

(2) **Only practice dentistry in this state so long as at least ninety percent of the corporation's patient census consists of Medicaid recipients or patients with an income below two hundred percent of the federal**

poverty level unless mandated by law;

(3) Only employ dentists and dental hygienists licensed in this state and dental assistants to render dental services; and

(4) Be organized for health purposes only.

4. No not-for-profit corporation organized under the provisions of chapter 355, RSMo, and qualifying as an organization under 26 U.S.C. Section 501(c)(3) or any other person may direct or interfere or attempt to direct or interfere with a licensed dentist's professional judgment and competent practice of dentistry.

5. A not-for-profit corporation organized under the provisions of chapter 355, RSMo, and qualifying as an organization under 26 U.S.C. Section 501(c)(3) may apply for a license to practice dentistry in this state so long as the corporation applies for licensure in writing on forms provided by the Missouri dental board.

6. Any not-for-profit corporation that obtains a license to practice dentistry in this state is subject to discipline pursuant to section 332.321. If the board concludes that a not-for-profit corporation has committed an act or is engaging in a course of conduct that would be grounds for disciplinary action, the board may file a complaint before the administrative hearing commission. The board may refuse to issue or renew the license of a not-for-profit corporation for one or any combination of causes stated in subsection 2 of section 332.321. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of their right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

7. The board shall promulgate rules and regulations to ensure not-for-profit corporations are rendering care to the patient population as set forth herein, including requirements for not-for-profit corporations to report patient census data to the board.

8. All not-for-profit corporations organized and operated as migrant, community, or homeless health centers pursuant to 42 U.S.C. Section 254(b) or 254(c), or federally qualified health centers pursuant to 42 U.S.C. Section 13996(d), or as otherwise authorized herein, shall practice dentistry in accordance with the law of this state, except as specifically preempted by federal law.

332.111. Any person [who], **corporation, or entity that** practices dentistry as defined in section 332.071 [who] **that** is not a duly registered and currently licensed dentist in Missouri as hereinafter provided, or any person who practices as a dental hygienist as defined in section 332.091 who is not a duly registered and currently licensed dental hygienist in Missouri as hereinafter provided is guilty of a class A misdemeanor.

332.121. 1. Upon application by the board and the necessary burden having been met, a court of general jurisdiction may grant an injunction, restraining order or other order as may be appropriate to enjoin a person, **corporation, or firm or other entity** from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a certificate of registration or authority, permit or license is required by this chapter upon a showing that such acts or practices were performed or offered to be performed without a certificate of registration or authority, permit or license; [or]

(2) Engaging in any practice or business authorized by a certificate of registration or authority, permit or license issued pursuant to this chapter upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client or patient of the licensee; **or**

(3) **Directing, interfering with, or attempting to direct or interfere with licensed dentist's professional judgement or competent practice of dentistry.**

2. Any such action shall be commenced either in the county in which the defendant resides or in the county in which such conduct occurred.

3. Any action brought under this section shall be in addition to and not in lieu of any penalty provided by this chapter and may be brought concurrently with other actions to enforce this chapter.

332.332. 1. Upon unanimous consent of the members of the board participating in the vote, the president or secretary of the board shall administer oaths, subpoena witnesses, issue subpoenas duces tecum and require production of documents and records. Subpoenas, including subpoena duces tecum, shall be served by a person authorized to serve subpoenas of courts of record. In lieu of requiring attendance of a person to produce original documents in response to a subpoena duces tecum, the board may require sworn copies of such documents to be filed with it or delivered to its designated representative.

**2. The board may enforce its subpoenas, including subpoenas duces tecum, by applying to a circuit court of Cole County, the county of the investigation, hearing, or proceeding, or any county where the person resides or may be found, for an order upon any person who shall fail to obey a subpoena to show cause why such subpoena should not be enforced, which such order and a copy of the application thereof shall be served upon the person in the same manner as a summons in a civil action and if the circuit court shall, after a hearing, determine that the subpoena should be sustained and enforced, such court shall proceed to enforce the subpoena in the same manner as though the subpoena had been issued in a civil case in the circuit court.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Shields, **House Amendment No. 2** was adopted.

Speaker Pro Tem Abel resumed the Chair.

Representative Hegeman offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1689 by inserting at the appropriate location the following section:

"332.327. 1. The board may establish an impaired dentist or dental hygienist committee, to be designated as the well-being committee, to promote the early identification, intervention, treatment and rehabilitation of dentists or dental hygienists who may be impaired by reasons of illness, substance abuse, or as a result of any physical or mental condition. The board may enter into a contractual agreement with a nonprofit corporation or a dental association for the purpose of creating, supporting and maintaining a committee to be designated as the well-being committee. The board may promulgate administrative rules subject to the provisions of this section and chapter 536, RSMo, to effectuate and implement any committee formed pursuant to this section. The board may expend appropriated funds necessary to provide for operational expenses of the committee formed pursuant to this section. Any member of the well-being committee, as well as any administrator, staff member, consultant, agent or employee of the committee, acting within the scope of his or her duties and without actual malice and, all other persons who furnish information to the committee in good faith and without actual malice, shall not be liable for any claim of damages as a result of any statement, decision, opinion, investigation or action taken by the committee, or by any individual member of the committee.

2. All information, interviews, reports, statements, memoranda or other documents furnished to or produced by the well-being committee, as well as communications to or from the committee, any findings, conclusions, interventions, treatment, rehabilitation or other proceedings of the committee which in any way pertain to a licensee who may be, or who actually is, impaired shall be privileged and confidential.

3. All records and proceedings of the well-being committee which pertain or refer to a licensee who may be, or who actually is, impaired shall be privileged and confidential and shall be used by the committee and its members only in the exercise of the proper function of the committee and shall not be considered public records pursuant to chapter 610, RSMo, and shall not be subject to court subpoena or subject to discovery or introduction as evidence in any civil, criminal or administrative proceedings except as provided in subsection 4 of this section.

4. The well-being committee may disclose information relative to an impaired licensee only when:

(1) It is essential to disclose the information to further the intervention, treatment or rehabilitation needs of the impaired licensee and only to those persons or organization with a need to know;

(2) Its release is authorized in writing by the impaired licensee;

(3) The committee is required to make a report to the board; or

(4) The information is subject to a court order.

**5. In lieu of pursuing discipline against a dentist or dental hygienist for violating one or more causes stated in subsection 2 of section 332.321, the board may enter into a diversion agreement with a dentist or dental hygienist to refer the licensee to the dental well-being committee under such terms and conditions as are agreed to by the board and licensee for a period not to exceed five years. The board shall enter into no more than two diversion agreements with any individual licensee. If the licensee violates a term or condition of a diversion**

agreement entered into pursuant to this section, the board may elect to pursue discipline against the licensee pursuant to chapter 621, RSMo, for the original conduct that resulted in the diversion agreement, or for any subsequent violation of subsection 2 of section 332.321. While the licensee participates in the well-being committee, the time limitations of section 620.154, RSMo, shall toll pursuant to subsection 7 of section 620.154, RSMo. All records pertaining to diversion agreements are confidential and may only be released pursuant to subdivision (7) of subsection 14 of section 620.010, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hegeman, **House Amendment No. 3** was adopted.

On motion of Representative Treadway, **HCS HB 1689, as amended**, was adopted.

On motion of Representative Treadway, **HCS HB 1689, as amended**, was ordered perfected and printed.

**HB 1679, as amended, with House Substitute Amendment No. 1 for House Amendment No. 11 and House Amendment No. 11, pending**, relating to horse racing and pari-mutuel wagering, was taken up by Representative Crump.

Speaker Kreider resumed the Chair.

On motion of Representative Hollingsworth, **House Substitute Amendment No. 1 for House Amendment No. 11** was adopted.

Representative Barnett offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Bill No. 1679, Page 14, Section 313.600, Line 21, by deleting the opening bracket "[" on said line; and

Further amend said bill, Page 14, Section 313.600, Lines 23 to 24, by deleting all of said lines and inserting in lieu thereof the following: "indictment for a crime involving moral turpitude [or has violated any provisions of the racing law of any state or any rules or regulations of the commission of any state] **or a felony**."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barnett, **House Amendment No. 12** was adopted.

Representative Ladd Baker offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Bill No. 1679 by inserting in the appropriate place the following:

**"Section 1. The Missouri Horse Racing Commission shall regulate the wagering structure to provide a maximum loss of five hundred dollars per individual player for each two-hour period.";** and

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Hollingsworth assumed the Chair.

Representative Ladd Baker moved that **House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Baker	Ballard	Barnitz	Bartle	Bearden
Behnen	Berkstresser	Boatright	Bray 84	Burcham
Burton	Byrd	Campbell	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Froelker	Green 15	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hosmer	Hunter	Jetton	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Lawson	Legan
Linton	Long	Luetkemeyer	Marble	May 149
Mayer	Miller	Moore	Murphy	Naeger
Nordwald	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Townley	Van Zandt	Willoughby	Wilson 25
Wright				

NOES: 077

Abel	Barnett	Barry 100	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Britt
Brooks	Carnahan	Clayton	Copenhaver	Crump
Curls	Daus	Davis	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 73
Hagan-Harrell	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Johnson 61	Johnson 90	King	Koller
Liese	Lograsso	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	Myers	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Ransdall
Reid	Relford	Reynolds	Richardson	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Villa	Wagner	Ward	Whorton	Williams
Wilson 42	Mr. Speaker			

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 006

Bartelsmeyer	Boykins	Ridgeway	Troupe	Vogel
Walton				

VACANCIES: 003

Representative Richardson offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Bill No. 1679, Page 3, Section 313.510, Line 6, by inserting a new sentence immediately following the period after the word “Louis” as follows: “**At least two of said members shall be horsemen as such term is commonly understood in the industry**”.

On motion of Representative Richardson, **House Amendment No. 14** was adopted.

Representative Bartle offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Bill No. 1679, Page 10, Section 313.562, Line 17, by deleting the words “**Associating in business with**” and inserting in lieu thereof the words “**Associating with, either socially or in business affairs**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bartle, **House Amendment No. 15** was adopted.

Speaker Pro Tem Abel resumed the Chair.

Representative Burton offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Bill No. 1679, Page 19, Section 313.652, Section 2, Line 9, by adding after the word “horses” the following: “**simulcasting shall be taxed at the same rate as live racing as provided in sections 313.652 & 313.655**”.

On motion of Representative Burton, **House Amendment No. 16** was adopted.

Representative Froelker offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Bill No. 1679, Page 23, Section 313.670, Line 10, by inserting after “**misdemeanor**” on said line the following: “**and subsequent violations shall be a class D felony**”.

Representative Froelker moved that **House Amendment No. 17** be adopted.

Which motion was defeated.

On motion of Representative Crump, **HB 1679, as amended**, was ordered perfected and printed by the following vote:

AYES: 076

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Byrd	Carnahan	Clayton	Copenhaver	Crump



Curls	Daus	Davis	Dolan	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Johnson 61	Johnson 90	King	Koller	Liese
Long	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Ransdall
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Thompson	Townley	Villa	Wagner
Ward	Whorton	Williams	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 075

Baker	Ballard	Barnett	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Bray 84
Brooks	Burcham	Burton	Campbell	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Enz	Fares	Froelker	Gaskill
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Hoppe
Hosmer	Hunter	Jetton	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Lawson	Legan
Linton	Lograsso	Luetkemeyer	Marble	May 149
Mayer	Miller	Moore	Murphy	Myers
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Roark	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Treadway	Van Zandt	Vogel	Willoughby	Wright

PRESENT: 002

Marsh                      Troupe

ABSENT WITH LEAVE: 007

Bartelsmeyer	Harlan	Holand	Ross	Skaggs
Smith	Walton			

VACANCIES: 003

## PERFECTION OF HOUSE BILLS

**HCS HB 1762**, relating to credit cardholders, was taken up by Representative Harding.

Representative Harding offered **HS HCS HB 1762**.

Representative Harding offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1762, Page 4, Section 407.433, Line 14 of said page, by adding immediately after the word “**who**” the following: **knowingly**”.

On motion of Representative Harding, **House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1762, Page 1, Section 407.432, Line 19, by adding after the word “**agent**” the phrase “**authorized signatory**”.

On motion of Representative Byrd, **House Amendment No. 2** was adopted.

Representative Crowell offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1762, Page 5, Section 407.433, Line 8 of said page, by inserting after all of said line the following:

**"541.155. Any person charged with fraudulent use of a credit device, or any stealing offense in which another person's credit card number, check, or checking account number was fraudulently used for the purpose of obtaining property or services of another, shall be prosecuted:**

- (1) In the county in which the offense is committed; or**
- (2) If the offense is committed partly in one county and partly in another, or if the elements of the offense occur in more than one county, then in any of the counties where any element of the offense occurred; or**
- (3) In the county in which the defendant resides; or**
- (4) In the county in which the victim resides; or**
- (5) In the county in which the property obtained or attempted to be obtained was located."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Crowell, **House Amendment No. 3** was adopted.

On motion of Representative Harding, **HS HCS HB 1762, as amended**, was adopted.

On motion of Representative Harding, **HS HCS HB 1762, as amended**, was ordered perfected and printed.

**HB 1748**, relating to drinking water fees, was taken up by Representative Ransdall.

Representative Britt assumed the Chair.

On motion of Representative Ransdall, **HB 1748** was ordered perfected and printed.

**HB 1994**, relating to Southwest Missouri State University, was placed on the Informal Calendar.

**HB 1851**, relating to housing authorities, was taken up by Representative Curls.

Representative Curls offered **House Amendment No. 1.***House Amendment No. 1*

AMEND House Bill No. 1851, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"99.050. When the governing body of a city adopts a resolution or other declaration as aforesaid, it shall promptly notify the mayor of such adoption. Upon receiving such notice, the mayor shall appoint five persons who shall be taxpayers who have resided in said city for [five years] **one year** prior to such appointment as commissioners of the authority created for said city. When the governing body of a county adopts a resolution or other declaration as aforesaid, said body shall appoint five persons as commissioners of the authority created for said county. Three of the commissioners who are first appointed shall be designated to serve for terms of one, two, and three years, respectively, from the date of their appointment, and two shall be designated to serve for terms of four years from the date of their appointment. Thereafter commissioners shall be appointed as aforesaid for a term of office of four years except that all vacancies shall be filled for the unexpired term. No commissioner of an authority may be an officer or employee of the city or county for which the authority is created. A commissioner shall hold office until his successor has been appointed and has qualified, unless sooner removed according to sections 99.010 to 99.230. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner shall receive no compensation for his services for the authority, in any capacity, but he shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties. The powers of each authority shall be vested in the commissioners thereof in office from time to time. One more than one-half of all commissioners shall constitute a quorum of the authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the authority upon a vote of a majority of a quorum, unless in any case the bylaws of the authority shall require a larger number. The mayor (or in the case of an authority for a county, the governing body of the county) shall designate which of the commissioners shall be the first chairman and he shall serve in the capacity of chairman until the expiration of his term of office as commissioner. When the office of the chairman of the authority thereafter becomes vacant, the authority shall select a chairman from among its commissioners. An authority shall select from among its commissioners a vice chairman, and it may employ a secretary (who shall be executive director), technical experts and such other officers, agents and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation. For such legal services as it may require, an authority may call upon the chief law officer of the city or the county or may employ its own counsel and legal staff. An authority may delegate to one or more of its agents or employees such powers or duties as it may deem proper."; and

Further amend said bill in the title, enacting clause, and intersectional references accordingly.

On motion of Representative Curls, **House Amendment No. 1** was adopted.

Representative Ridgeway offered **House Amendment No. 2.***House Amendment No. 2*

AMEND House Bill No. 1851, Page 3, Section 99.134, Line 60, by deleting Lines 60 through 65 and inserting in lieu thereof the following:

**"7. Each commissioner shall receive reimbursement only for reasonable and ordinary travel expenses incurred in attending within the jurisdiction of the housing authority."**

Representative Byrd offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Bill No. 1851, Page 3, Section 99.134, Line 63, by adding after the word “duties.” the phrase “**the expenses shall not exceed the sum of one thousand dollars per year per commissioner.**”.

On motion of Representative Byrd, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Wagner	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 017

Bartelsmeyer	Berkstresser	Cunningham	Green 73	Harlan
Hickey	Holand	Koller	Long	O'Connor
Richardson	Scheve	Schwab	Scott	Troupe
Vogel	Walton			

VACANCIES: 003

On motion of Representative Curls, **HB 1851, as amended**, was ordered perfected and printed.

**HB 1773**, relating to compensation for St. Louis police, was taken up by Representative Shelton.

Representative Villa offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1773, Page 1, Section A, Line 2, by inserting after all of said line the following:

"84.140. The boards shall grant every member of the police force [hired prior to May 1, 1986,] **who has served for one year or more** a total of three weeks vacation each year with pay, and each member of the police force who has served the department for twelve years or more shall receive four weeks vacation each year with pay, and each member of the police force who has served the department for twenty-one years or more shall receive five weeks vacation each year with pay[; however, the boards shall grant every member of the police force hired on or after May 1, 1986, a total of two weeks vacation each year with pay, and each such member of the police force who has served the department for five years or more shall receive three weeks vacation each year with pay, and each such member of the police force who has served the department for twelve years or more shall receive four weeks vacation each year with pay, and each such member of the police force who has served the department for twenty-one years or more shall receive five weeks vacation each year with pay]. All members of the police force shall receive [fourteen] **fifteen** holidays with pay, and one hundred four days off duty each year with pay, and the boards may from time to time grant additional days off duty each year with pay when in the judgment of the boards, the granting thereof will not materially impair the efficiency of the department."; and

Further amend said title, enacting clause and intersectional references accordingly.

**HB 1773, with House Amendment No. 1, pending**, was laid over.

On motion of Representative Crump, the House recessed until 8:00 p.m.

**EVENING SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 900 - Representative Whorton  
House Resolution No. 901 - Representative Hampton  
House Resolution No. 902 - Representative Boucher  
House Resolution No. 903  
through  
House Resolution No. 907 - Representative Harding

**HOUSE RESOLUTIONS**

**HCS HR 51**, relating to credit cards on college campuses, was taken up by Representative Boykins.

On motion of Representative Boykins, **HCS HR 51** was adopted.

**HR 262**, relating to use of chamber, was taken up by Representative Williams.

On motion of Representative Williams, **HR 262** was adopted.

**HCS HR 361**, relating to fuel economy standards, was taken up by Representative Hanaway.

On motion of Representative Hanaway, **HCS HR 361** was adopted.

**HR 318**, relating to use of chamber, was taken up by Representative Crawford.

On motion of Representative Crawford, **HR 318** was adopted.

### **THIRD READING OF HOUSE BILLS - CONSENT**

**HB 1159**, relating to special license plates, was taken up by Representative Boykins.

On motion of Representative Boykins, **HB 1159** was read the third time and passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler
Haywood	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Lograsso	Lowe	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Whorton	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Burcham	Hohulin	Townley	Wilson 25
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PRESENT: 011

Ballard	Berkstresser	Copenhaver	Crowell	Harding
Hegeman	Jetton	King	Luetkemeyer	Rector
Secrest				

ABSENT WITH LEAVE: 004

Bartelsmeyer	Linton	Long	Walton
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HB 1214**, relating to a special license plate for motorcycles, was taken up by Representative Davis.

On motion of Representative Davis, **HB 1214** was read the third time and passed by the following vote:

AYES: 145

Abel	Barnett	Barry 100	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Ward	Whorton
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 002

Townley                      Wilson 25

PRESENT: 003

Copenhaver                  Harding                      Purgason

ABSENT WITH LEAVE: 010

Baker	Ballard	Barnitz	Bartelsmeyer	Harlan
Holand	Linton	Lograsso	Long	Walton

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HB 1624**, relating to special license plates, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HB 1624** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Cierpiot	Clayton	Cooper	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Whorton	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		



NOES: 003

Crump	Townley	Wilson 25
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PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 007

Barnitz	Bartelsmeyer	Champion	Green 73	Linton
Long	Walton			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HB 1204**, relating to a special license plate, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 1204** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Whorton	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 003

Hendrickson	Townley	Wilson 25
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PRESENT: 003

Copenhaver	Harding	Johnson 61
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ABSENT WITH LEAVE: 009

Barnitz	Bartelsmeyer	Bray 84	Franklin	Green 73
Linton	Long	Walton	Williams	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HB 1093**, relating to a special license plate, was taken up by Representative Relford.

On motion of Representative Relford, **HB 1093** was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Whorton	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Townley Wilson 25

PRESENT: 002

Copenhaver Harding

ABSENT WITH LEAVE: 008

Baker	Bartelsmeyer	Dolan	Green 73	Linton
Long	Phillips	Walton		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HB 1714**, relating to a special license plate, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **HB 1714** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Hohulin	Townley	Wilson 25
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PRESENT: 002

Copenhaver	Harding	
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ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Bray 84	Cierpiot	Franklin
Green 73	Harlan	Linton	Long	Purgason
Walton				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HB 1205**, relating to a special license plate, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 1205** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Whorton	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Townley Wilson 25

PRESENT: 002

Copenhaver Harding

ABSENT WITH LEAVE: 010

Baker	Bartelsmeyer	Bray 84	Cierpiot	Franklin
Harlan	Linton	Lograsso	Long	Walton

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HB 1411**, relating to a special license plate, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HB 1411** was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Whorton	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Townley                      Wilson 25

PRESENT: 003

Copenhaver              Crump                      Harding

ABSENT WITH LEAVE: 007

Baker	Bartelsmeyer	Bray 84	Harlan	Linton
Long	Walton			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Shoemyer (9) assumed the Chair.

**HB 1094**, relating to a special license plate, was taken up by Representative Relford.

On motion of Representative Relford, **HB 1094** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Burcham	Townley	Wilson 25
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PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Bray 84	Byrd	Crump
Harlan	Hickey	Linton	Long	Seigfreid
Walton				

VACANCIES: 003

Representative Shoemyer (9) declared the bill passed.

**HB 1397**, relating to a special license plate, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HB 1397** was read the third time and passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Ward	Whorton	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Townley                      Wilson 25

PRESENT: 002

Copenhaver                Harding

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Bray 84	Dolan	Green 73
Harlan	Hartzler	Hickey	Linton	Lograsso
Long	Skaggs	Walton	Williams	

VACANCIES: 003

Representative Shoemyer (9) declared the bill passed.

**HB 1391**, relating to a special license plate, was taken up by Representative Smith.

On motion of Representative Smith, **HB 1391** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Ward	Whorton	Williams	Willoughby	Wilson 42
Wright	Mr. Speaker			



NOES: 002

Townley Wilson 25

PRESENT: 002

Copenhaver Harding

ABSENT WITH LEAVE: 009

Bartelsmeyer	Bray 84	Crump	Harlan	Haywood
Hickey	Linton	Long	Walton	

VACANCIES: 003

Representative Shoemyer (9) declared the bill passed.

**HB 1272**, relating to a special license plate, was taken up by Representative Smith.

On motion of Representative Smith, **HB 1272** was read the third time and passed by the following vote:

AYES: 131

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Brooks	Burcham	Byrd
Campbell	Carnahan	Cierpiot	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Jolly
Kelley 47	Kelly 144	Kelly 27	King	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	Merideth	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Troupe	Van Zandt	Villa	Vogel	Wagner
Ward	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Bray 84 Townley Wilson 25

PRESENT: 002

Copenhaver                      Harding

ABSENT WITH LEAVE: 024

Bartelsmeyer	Bland	Britt	Burton	Champion
Clayton	Green 73	Harlan	Hartzler	Hickey
Johnson 90	Kelly 36	Linton	Long	Mayer
McKenna	Miller	Overschmidt	Paone	Ridgeway
Thompson	Treadway	Walton	Whorton	

VACANCIES: 003

Representative Shoemyer (9) declared the bill passed.

**HB 1412**, relating to a special license plate, was taken up by Representative Skaggs.

Representative Skaggs moved that **HB 1412** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 078

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Clayton	Cunningham	Curls	Daus	Davis
Dolan	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Hagan-Harrell	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 36	Koller	Liese	Lowe
Luetkenhaus	Marsh	Mays 50	McKenna	Monaco
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Ransdall	Reynolds	Rizzo	Ross	Scheve
Seigfreid	Selby	Shelton	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Ward	Whorton	Williams
Willoughby	Wilson 42	Mr. Speaker		

NOES: 071

Ballard	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Byrd	Cierpiot	Cooper	Crawford	Crowell
Dempsey	Enz	Fares	Froelker	Gaskill
Green 73	Griesheimer	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	Kelly 27
King	Lawson	Legan	Luetkemeyer	Marble
May 149	Mayer	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Phillips
Portwood	Purgason	Quinn	Rector	Reid

Reinhart	Relford	Richardson	Roark	Robirds
Schwab	Scott	Secrest	Shields	Shoemaker
Shoemyer	St. Onge	Townley	Vogel	Wilson 25
Wright				

PRESENT: 004

Champion	Copenhaver	Crump	Harding
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ABSENT WITH LEAVE: 007

Bartelsmeyer	Harlan	Linton	Lograsso	Long
Ridgeway	Walton			

VACANCIES: 003

Representative Bowman assumed the Chair.

**HB 1918**, relating to avoidance of weigh stations, was taken up by Representative Koller.

On motion of Representative Koller, **HB 1918** was read the third time and passed by the following vote:

AYES: 093

Abel	Baker	Barnett	Barry 100	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Copenhaver	Crump	Cunningham
Curls	Daus	Davis	Dolan	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Jolly	Kelly 36	Koller
Liese	Lograsso	Lowe	Luetkenhaus	Mays 50
McKenna	Monaco	Myers	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Ransdall
Reid	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Seigfreid	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Wagner	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 060

Ballard	Barnitz	Bartle	Bearden	Behnen
Berkstresser	Boatright	Burcham	Byrd	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Dempsey	Enz	Fares	Froelker	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Johnson 90	Kelley 47	Kelly 144
Kelly 27	King	Legan	Luetkemeyer	Marble
Marsh	May 149	Mayer	Merideth	Miller
Moore	Murphy	Naeger	Phillips	Portwood

Purgason	Quinn	Rector	Reinhart	Richardson
Ridgeway	Roark	Schwab	Scott	Secrest
Shields	St. Onge	Troupe	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer	Green 73	Harlan	Lawson	Linton
Long	Walton			

VACANCIES: 003

Representative Bowman declared the bill passed.

Representative Foley assumed the Chair.

### **HOUSE RESOLUTION**

**HR 150**, relating to use of chamber, was taken up by Representative Vogel.

On motion of Representative Vogel, **HR 150** was adopted.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1891** - Local Government and Related Matters

**HB 2204** - Agriculture

**HB 2137** - Miscellaneous Bills & Resolutions

### **COMMITTEE REPORTS**

**Committee on Rules, Joint Rules and Bills Perfected & Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1041**, **HB 1196** and **HB 1986 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Banks and Financial Institutions**, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks & Financial Institutions, to which was referred **HB 1888**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 37**, introduced by Representatives Liese, Henderson, Burton, Luetkenhaus, Ward and Luetkemeyer, urging the President of the United States and Congress to take action to put in place a limited and temporary federal backstop for insurance against terrorism.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 810**, entitled:

An act to repeal sections 660.100, 660.105, 660.110, 661.115, 661.120, 660.122, 660.135 and 660.136, RSMo, relating to the utilicare program, and to enact in lieu thereof seven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 980**, entitled:

An act to repeal section 334.540, RSMo, relating to the licensing of physical therapists, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1012**, entitled:

An act to repeal section 8.231, RSMo, relating to guaranteed energy cost savings contracts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1028**, entitled:

An act to repeal section 67.1866, RSMo, and to enact in lieu thereof one new section relating to law enforcement districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1102**, entitled:

An act to repeal section 191.680, RSMo, relating to nuisance, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1143**, entitled:

An act to repeal section 108.240, RSMo, relating to duties of the state auditor, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, March 20, 2002.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Fortieth Day, Monday, March 18, 2002, page 652, roll call, by showing Representative Skaggs voting "aye" rather than "no".

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Wednesday, March 20, 2002. Hearing Room 7 upon morning adjournment.

Executive Session may follow.

To be considered - HB 2063, HB 2065, HB 2114, HB 2204

#### **BUDGET**

Wednesday, March 20, 2002, 8:00 a.m. Hearing Room 3.

Executive Session on House Bills 1102 through 1112.

#### **BUDGET**

Wednesday, March 20, 2002. Hearing Room 3 upon evening adjournment.

Executive Session on House Bills 1102 through 1112.

#### **BUDGET**

Thursday, March 21, 2002, 8:00 a.m. Hearing Room 3.

Executive Session on House Bills 1102 through 1112.

#### **BUDGET**

Thursday, March 21, 2002. Hearing Room 3 upon adjournment.

Executive Session on House Bills 1102 through 1112.

#### **CIVIL AND ADMINISTRATIVE LAW**

Wednesday, March 20, 2002. Hearing Room 1 upon morning adjournment.

To be considered - HB 2151, Executive Session - HB 1968

COMMERCE AND ECONOMIC DEVELOPMENT

Wednesday, March 20, 2002. Hearing Room 6 upon evening adjournment.  
Executive Session.

CRIMINAL LAW

Thursday, March 21, 2002. Side gallery upon morning adjournment.  
Executive Session.

EDUCATION - HIGHER

Wednesday, March 20, 2002. Hearing Room 5 upon morning recess or 12:00 p.m.  
Possible Executive Session on any bills previously heard.  
To be considered - HCR 34

FISCAL REVIEW AND GOVERNMENT REFORM

Wednesday, March 20, 2002, 8:30 a.m. Hearing Room 5. CANCELLED.  
Executive Session HS HCS HB 1461 & 1470, Executive Session - HB 1915  
To be considered - HJR 56

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, March 20, 2002, 6:00 p.m. Senate Lounge upon adjournment or 6:00 p.m.  
Rule #19 CSR 60-50.200/300/400/410/420/430 450/700/800/900.

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, March 21, 2002, 9:30 a.m. Side gallery.  
Executive Session.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 20, 2002, 9:00 a.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 2137, HCR 25

RETIREMENT

Wednesday, March 20, 2002, 7:00 p.m. Hearing Room 1.  
Executive Session may follow.  
To be considered - HB 2106

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 2, 2002, 8:00 p.m. Hearing Room 6.  
Executive Session may follow.  
To be considered - HB 1983, HB 2030

SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS

Wednesday, March 20, 2002. Hearing Room 4 upon evening adjournment.  
To be considered - HCR 24

**SUBCOMMITTEE ON BUDGET**

Wednesday, March 20, 2002. Hearing Room 3 upon morning adjournment.

To be considered - Executive Session - HB 1114

**TRANSPORTATION**

Wednesday, March 20, 2002. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 1620, HB 1806, HB 1922

**WAYS AND MEANS**

Wednesday, March 20, 2002. Side gallery upon evening adjournment.

Executive Session.

**HOUSE CALENDAR**

FORTY-SECOND DAY, WEDNESDAY, MARCH 20, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 37

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1773, with HA 1 pending, - Shelton
- 2 HCS HB 1654 & 1156 - Hosmer
- 3 HB 1306 - Williams
- 4 HB 1926 - Fraser
- 5 HCS HB 1502 & 1821 - Luetkenhaus
- 6 HB 1455 - O'Toole
- 7 HCS HB 1735 - Hoppe
- 8 HB 1058 - Haywood
- 9 HCS HB 1756 - Reid
- 10 HCS HB 1443 - Barry
- 11 HB 1489 - Britt
- 12 HCS HB 1692 - Overschmidt
- 13 HB 1460 - Hilgemann
- 14 HB 1488 - Skaggs
- 15 HCS HB 1509 & 1510 - Curls
- 16 HB 1850 - O'Toole
- 17 HB 1869 - Barry
- 18 HCS HB 1143 - Rizzo
- 19 HCS HB 1888 - Barnitz



**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker
- 4 HB 1994 - Hosmer

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3-14-02)

- 1 HB 1953 - Van Zandt
- 2 HB 2025 - Walton
- 3 HB 2123 - Barry
- 4 HB 1872 - Hosmer
- 5 HB 1881 - Rizzo
- 6 HB 2008 - O'Connor
- 7 HB 1837 - Berkowitz
- 8 HB 2031 - O'Connor
- 9 HB 1838 - Hosmer
- 10 HB 2047 - Ransdall
- 11 HB 2009 - O'Connor
- 12 HB 1867 - Griesheimer
- 13 HB 2022 - Richardson
- 14 HB 1969 - Reid

(3-15-02)

- 1 HB 2039 - Kreider
- 2 HB 2002 - Farnen
- 3 HB 2080 - Britt
- 4 HB 1537 - Clayton
- 5 HB 1674 - O'Toole
- 6 HB 1757 - George
- 7 HB 1635 - Hoppe
- 8 HB 1659 - Kelly (27)
- 9 HB 2130 - Boykins
- 10 HB 2026 - Green (15)
- 11 HB 1937 - Barry
- 12 HB 1811 - Gambaro
- 13 HB 1973 - Bowman

- 14 HB 2023 - Franklin
- 15 HB 2064 - Walton
- 16 HB 1964 - Gambaro
- 17 HB 1085 - Mays (50)
- 18 HB 2155 - Willoughby
- 19 HB 1812 - Riback Wilson (25)
- 20 HB 1839 - Seigfreid
- 21 HB 1776 - Harlan
- 22 HB 1636 - Hoppe
- 23 HB 1148 - Ross
- 24 HB 1645 - Griesheimer
- 25 HB 2018 - Bartle
- 26 HB 2001 - Hegeman
- 27 HB 1580 - Barnett
- 28 HB 1982 - Richardson
- 29 HB 1846 - Scott

(3-18-02)

- 1 HB 1903 - Liese
- 2 HB 2087 - Whorton
- 3 HB 1955 - Hilgemann
- 4 HB 1701 - Luetkenhaus
- 5 HB 2117 - Boucher
- 6 HB 2032 - Hosmer
- 7 HB 2062 - Hosmer
- 8 HB 1921 - Green (73)
- 9 HB 1803 - Green (73)
- 10 HB 2029 - Hosmer
- 11 HB 1890 - Hilgemann
- 12 HB 2120 - Ridgeway
- 13 HB 1715 - Moore

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HCS HB 1202 - Smith
- 4 HCS HB 1403 - St. Onge
- 5 HB 1592 - Hickey
- 6 HCS HB 1344 & 1944 - Crump

- 7     HS HCS HB 1532 - Hoppe
- 8     HCS HB 1898, E.C. - Campbell
- 9     HS HCS HB 1392, (Fiscal Review 3-18-02) - Davis

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1     HB 1265 - Gratz
- 2     HB 1242 - Griesheimer
- 3     HB 1075 - Nordwald
- 4     HB 1320 - Reid
- 5     HB 1515 - Burton
- 6     HB 1569 - Davis
- 7     HB 1795 - Berkowitz
- 8     HB 1849 - Barnitz
- 9     HB 1745 - Koller
- 10    HB 1400 - Merideth
- 11    HB 1141 - Naeger
- 12    HB 1270 - Gratz
- 13    HB 1822 - Walton
- 14    HB 1783 - Lowe
- 15    HB 1768 - Hosmer
- 16    HB 1814 - Monaco
- 17    HB 1712 - Monaco
- 18    HB 1895 - Carnahan
- 19    HB 1722 - Hosmer
- 20    HB 1779 - Green (73)
- 21    HB 1788 - Ross
- 22    HB 1778 - Monaco
- 23    HB 1789 - Ross
- 24    HB 1314 - Mays (50)
- 25    HB 1632 - O'Connor
- 26    HB 1548 - Barry
- 27    HB 1473 - Green (15)
- 28    HB 1781 - Green (73)
- 29    HB 1194 - Gambaro
- 30    HB 1518 - Luetkenhaus
- 31    HB 1568 - Luetkenhaus
- 32    HB 1409 - Campbell
- 33    HB 1600 - Treadway
- 34    HB 1840 - Seigfreid
- 35    HB 1504 - Liese
- 36    HB 1852 - Villa
- 37    HB 1755 - Merideth
- 38    HB 1643 - Holand
- 39    HB 1861 - Burcham

- 40 HB 1032 - Portwood
- 41 HB 1313 - Burton
- 42 HB 1862 - May (149)
- 43 HB 1986 - Hosmer
- 44 HB 1196 - Barnett
- 45 HB 1041 - Myers

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 810
- 2 SCS SB 980
- 3 SB 1012
- 4 SB 1028
- 5 SB 1102
- 6 SB 1143

**HOUSE RESOLUTIONS**

- 1 HR 278, (3-7-02, page 517) - Bonner
- 2 HR 341, (3-7-02, page 518) - Ladd Baker

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTY-SECOND DAY, WEDNESDAY, MARCH 20, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious Lord, bless with Your power and presence all who work in the often thankless chores of our state and of this House. As we begin this new day, we remember those who rose early this morning to insure our fresh food, our safety, who make sure our messages get through, who meet the needy of our state and serve the ill and the young, and all who do what we often take for granted.

Now, bless also, the men and women of the House and their families who often bear a heavy burden. Keep them now in Your love. We pray that You would give to us all a renewed appreciation for work, and occupation, and calling in all its rich aspects and diversity.

Keep us this day in Your protection, and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brett Nelson, Miranda Davis, Tiffany Allen, Hannah Clark, Jolene Taylor, Destra Stettler, Geoff Wertenberger, Brent Stull, Zhenya Townley, Alisa Townley, Andrei Townley and Devin Tilawen.

The Journal of the forty-first day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 908 - Representative Willoughby  
House Resolution No. 909 - Representative Shoemaker (8)  
House Resolution No. 910  
through  
House Resolution No. 912 - Representative Harding  
House Resolution No. 913 - Representatives Harding and Lawson

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 37** was read the second time.

## SECOND READING OF SENATE BILLS

**SCS SB 810, SCS SB 980, SB 1012, SB 1028, SB 1102 and SB 1143** were read the second time.

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1496**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1440, HCS HB 1556, HB 1679, HB 1851, HS HCS HB 1762, HB 1748 and HCS HB 1689**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Ms. Jill Bergee, Missouri Teacher of the Year, addressed the House.

## PERFECTION OF HOUSE BILL

**HB 1773, with House Amendment No. 1, pending**, relating to compensation for St. Louis police, was taken up by Representative Shelton.

**House Amendment No. 1** was withdrawn.

Representative Villa offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 1773, Page 1, Section A, Line 2, by inserting after all of said line the following:

"84.140. The boards [shall] **may** grant every member of the police force [hired prior to May 1, 1986,] **who has served for one year or more** a total of three weeks vacation each year with pay, and each member of the police force who has served the department for twelve years or more [shall] **may** receive four weeks vacation each year with pay, and each member of the police force who has served the department for twenty-one years or more [shall] **may** receive five weeks vacation each year with pay [; however, the boards shall grant every member of the police force hired on or after May 1, 1986, a total of two weeks vacation each year with pay, and each such member of the police force who has served the department for five years or more shall receive three weeks vacation each year with pay, and each such member of the police force who has served the department for twelve years or more shall receive four weeks vacation each year with pay, and each such member of the police force who has served the department for twenty-one years or more shall receive five weeks vacation each year with pay]. All members of the police force [shall] **may** receive [fourteen] **fifteen** holidays with pay, and one hundred four days off duty each year with pay, and the boards may from time to time grant additional days off duty each year with pay when in the judgment of the boards, the granting thereof will not materially impair the efficiency of the department."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shelton raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Speaker Pro Tem Abel assumed the Chair.

On motion of Representative Villa, **House Amendment No. 1** was adopted.

Representative Barry offered **House Amendment No. 2**.

**House Amendment No. 2** was withdrawn.

**HB 1773, as amended**, was placed on the Informal Calendar.

#### **PERFECTION OF HOUSE BILL - INFORMAL**

**HB 1994**, relating to Southwest Missouri State University, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HB 1994**.

Speaker Kreider resumed the Chair.

Representative Farnen offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Bill No. 1994, Page 1, Section 174.020, Lines 13 and 14, by deleting "'Central Missouri State University'" and inserting in lieu thereof the following: "'[Central] Missouri State University **at Warrensburg**'"; and

Further amend said bill, Page 1, Section 174.020, Lines 15 and 16, by deleting "'Southeast Missouri State University'" and inserting in lieu thereof the following: "'[Southeast] Missouri State University **at Cape Girardeau**'"; and

Further amend said bill, Page 1, Section 174.020, Line 18, by inserting immediately after the word "University" the following: "**at Springfield**"; and

Further amend said bill, Page 1, Section 174.020, Line 19, by deleting "'Northwest Missouri State University'" and inserting in lieu thereof the following: "'[Northwest] Missouri State University **at Maryville**'"; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Farnen moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Baker	Barnett	Barry 100	Behnen	Carnahan
Cierpiot	Clayton	Copenhaver	Crawford	Daus
Davis	Farnen	Franklin	George	Graham
Green 15	Harding	Harlan	Hartzler	Hegeman
Hendrickson	Hollingsworth	Jolly	Kelley 47	Linton
Lograsso	Luetkemeyer	McKenna	Murphy	O'Connor
Ostmann	Paone	Ransdall	Relford	Reynolds
Richardson	Ridgeway	Ross	Schwab	Seigfreid
Shoemyer	St. Onge	Townley	Treadway	Wagner
Whorton	Williams	Willoughby	Wilson 25	Wilson 42

NOES: 094

Ballard	Barnitz	Bartle	Bearden	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Britt	Burcham	Burton
Byrd	Champion	Cooper	Crowell	Crump
Curls	Dempsey	Dolan	Enz	Fares
Foley	Fraser	Froelker	Gambaro	Gaskill
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Haywood	Henderson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkenhaus	Marble	Marsh	May 149
Mayer	Merideth	Miller	Myers	Naeger
Nordwald	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Rizzo	Roark	Robirds	Scheve	Scott
Secrest	Selby	Shelton	Shields	Shoemaker
Skaggs	Smith	Surface	Thompson	Villa
Vogel	Walton	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 016

Abel	Bartelsmeyer	Boykins	Bray 84	Brooks
Campbell	Cunningham	Gratz	Hohulin	Johnson 61
Mays 50	Monaco	Moore	Troupe	Van Zandt
Ward				

VACANCIES: 003

**HB 1994, with HS pending,** was laid over.

On motion of Representative Crump, the House recessed until 2:00 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.



The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kathleen Walsh, Kathryn Imperiale and Alex Wright.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 914 - Representative Ridgeway  
 House Resolution No. 915  
     and  
 House Resolution No. 916 - Representatives Surface and Burton  
 House Resolution No. 917  
     through  
 House Resolution No. 922 - Representative Moore  
 House Resolution No. 923  
     and  
 House Resolution No. 924 - Representative Harding  
 House Resolution No. 925 - Representatives Bartle and Kelley (47)

### HOUSE RESOLUTION

**HR 278**, relating to ice storm, was taken up by Representative Bonner.

On motion of Representative Bonner, **HR 278** was adopted.

Speaker Pro Tem Abel resumed the Chair.

### THIRD READING OF HOUSE BILL

**HB 1592**, relating to workers memorial fund, was taken up by Representative Hickey.

On motion of Representative Hickey, **HB 1592** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36

King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer	Boykins	Cierpiot	Cunningham	Froelker
Harlan	Hoppe	Johnson 61	Lograsso	McKenna
Moore	Troupe	Van Zandt		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

### PERFECTION OF HOUSE BILL - INFORMAL

**HB 1994, with HS pending**, relating to Southwest Missouri State University, was again taken up by Representative Hosmer.

Representative Burton offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Substitute for House Bill No. 1994, Page 2, Line 2, by deleting the word “shall” and inserting in lieu thereof the following: “[shall] **may**”.

On motion of Representative Burton, **House Amendment No. 2** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 3**.

Representative Hosmer raised a point of order that **House Amendment No. 3** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Smith offered **House Amendment No. 3**.

Representative Riback Wilson (25) raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Graham offered **House Amendment No. 3**.

Representative Hosmer raised a point of order that **House Amendment No. 3** is dilatory and is not germane to the bill.

Representative Gambaro raised an additional point of order that **House Amendment No. 3** is a negative motion.

The Chair ruled the first point of order well taken.

The Chair ruled the second point of order not well taken.

Representative Hollingsworth offered **House Amendment No. 3**.

Representative Hosmer raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Graham offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Bill No. 1994, Page 2, Section 174.020, Line 10, by inserting thereafter the following:

**“4. Costs incurred from name changes shall not be paid from state general revenue funds, tuition, or fees.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 3** was adopted.

Representative Gaskill offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Bill No. 1994, Page 2, Section 174.020, Line 1, by deleting the words **“at Joplin”**.

On motion of Representative Gaskill, **House Amendment No. 4** was adopted.

Representative Graham requested a division of the question on **HS HB 1994, as amended**.

On motion of Representative Hosmer, **Part I of HS HB 1994** was adopted.

On motion of Representative Hosmer, **Part II of HS HB 1994** was adopted by the following vote:

AYES: 117

Abel	Baker	Ballard	Barnitz	Barry 100
Bartle	Bearden	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Clayton	Cooper
Crump	Cunningham	Curls	Daus	Dempsey
Foley	Fraser	Gambaro	Gaskill	George
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mays 50	McKenna	Miller
Murphy	Myers	Naeger	Nordwald	O'Toole
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Wright	Mr. Speaker			

NOES: 033

Barnett	Behnen	Burcham	Cierpiot	Copenhaver
Crawford	Crowell	Davis	Dolan	Enz
Fares	Graham	Harding	Harlan	Hendrickson
Hollingsworth	Jolly	May 149	Mayer	Merideth
O'Connor	Ostmann	Reynolds	Richardson	Ridgeway
Shoemyer	Skaggs	Townley	Whorton	Williams
Willoughby	Wilson 25	Wilson 42		

PRESENT: 003

Byrd	Farnen	Franklin
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ABSENT WITH LEAVE: 007

Bartelsmeyer	Froelker	Hoppe	Lograsso	Monaco
Moore	Reid			

VACANCIES: 003

On motion of Representative Hosmer, **Part III of HS HB 1994, as amended**, was adopted by the following vote:

AYES: 113

Abel	Baker	Ballard	Barnitz	Bartle
Bearden	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Cooper	Crawford	Crump
Cunningham	Curls	Daus	Dempsey	Foley
Fraser	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Holt
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Kelley 47	Kelly 144	Kelly 27	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
Mays 50	McKenna	Miller	Myers	Naeger
Nordwald	O'Toole	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Wright	Mr. Speaker		

NOES: 036

Barnett	Behnen	Burcham	Cierpiot	Clayton
Copenhaver	Crowell	Davis	Dolan	Enz
Fares	Graham	Harding	Harlan	Hendrickson
Hollingsworth	Jolly	Kelly 36	May 149	Mayer
Merideth	Murphy	O'Connor	Ostmann	Relford
Reynolds	Richardson	Ridgeway	Shoemyer	Skaggs
Townley	Whorton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 003

Barry 100	Byrd	Farnen
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ABSENT WITH LEAVE: 008

Bartelsmeyer	Franklin	Froelker	Hoppe	Lograsso
Monaco	Moore	Reid		

VACANCIES: 003

On motion of Representative Hosmer, **Part IV of HS HB 1994, as amended**, was adopted by the following vote:

AYES: 128

Abel	Ballard	Barnitz	Barry 100	Bartle
Bearden	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Dempsey	Dolan	Farnen	Foley
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
Mayer	Mays 50	McKenna	Miller	Myers
Naeger	Nordwald	O'Toole	Overschmidt	Paone
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Relford	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Williams	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 022

Barnett	Behnen	Burcham	Byrd	Cierpiot
Davis	Enz	Fares	Hendrickson	Jolly
May 149	Merideth	Murphy	Ostmann	Phillips
Reid	Reynolds	Ridgeway	Skaggs	Townley
Whorton	Willoughby			

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Bartelsmeyer	Franklin	Froelker	Harlan
Lograsso	Monaco	Moore	O'Connor	Richardson

VACANCIES: 003

On motion of Representative Hosmer, **HS HB 1994, as amended**, was ordered perfected and printed.

Speaker Pro Tem Abel resumed the Chair.

### THIRD READING OF HOUSE BILLS

**HS HCS HB 1532**, relating to intoxication torts, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS HCS HB 1532** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 007

Bonner	Boucher	Jolly	Monaco	Rizzo
Skaggs	Williams			

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Bartelsmeyer	Froelker	Harlan	Hickey
Hunter	Moore			

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HCS HB 1898**, relating to tax on retail pharmacies, was taken up by Representative Campbell.

On motion of Representative Campbell, **HCS HB 1898** was read the third time and passed by the following vote:

AYES: 102

Abel	Baker	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Campbell	Carnahan	Clayton
Cooper	Copenhaver	Crump	Curls	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelly 27
Kelly 36	Lawson	Legan	Lowe	Luetkemeyer
Marsh	Mayer	Mays 50	McKenna	Merideth
Miller	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Ransdall	Relford	Reynolds
Rizzo	Robirds	Ross	Scheve	Schwab
Seigfreid	Selby	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 043

Ballard	Barnett	Bartle	Boatright	Burton
Byrd	Champion	Cierpiot	Crawford	Crowell
Cunningham	Enz	Gaskill	Griesheimer	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Kelly 144
King	Koller	Liese	Linton	Lograsso
Long	Marble	May 149	Murphy	Myers
Nordwald	Phillips	Purgason	Quinn	Rector
Reid	Ridgeway	Roark	Scott	Secrest
Surface	Townley	Vogel		

PRESENT: 001

Reinhart

ABSENT WITH LEAVE: 014

Bartelsmeyer	Boucher	Froelker	Gratz	Hickey
Johnson 61	Kelley 47	Luetkenhaus	Monaco	Moore
Portwood	Richardson	Shelton	Wright	

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Ridgeway requested a verification of the roll call on the motion to third read and pass **HCS HB 1898**.

The emergency clause was adopted by the following vote:



AYES: 113

Abel	Baker	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Koller	Lawson	Legan	Lowe	Luetkemeyer
Luetkenhaus	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Ransdall	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 041

Ballard	Barnett	Bartle	Berkstresser	Boatright
Burton	Byrd	Cierpiot	Crowell	Cunningham
Enz	Gaskill	Griesheimer	Hanaway	Hegeman
Henderson	Hendrickson	Hohulin	Kelly 144	King
Liese	Linton	Lograsso	Long	Marble
May 149	Murphy	Nordwald	Phillips	Portwood
Purgason	Rector	Reid	Reinhart	Ridgeway
Roark	Secrest	Surface	Townley	Vogel
Wright				

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 005

Bartelsmeyer	Froelker	Hickey	Moore	Quinn
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VACANCIES: 003

**HCS HB 1403**, relating to retainage in building contracts, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HCS HB 1403** was read the third time and passed by the following vote:

AYES: 117

Abel	Baker	Barry 100	Bearden	Behnen
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	King	Legan
Liese	Long	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Ransdall	Reid	Reynolds
Richardson	Rizzo	Scheve	Schwab	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 031

Ballard	Barnett	Barnitz	Bartle	Berkstresser
Boatright	Champion	Cierpiot	Gaskill	Hartzler
Hegeman	Hohulin	Hosmer	Kelley 47	Kelly 144
Linton	Lograsso	Nordwald	Phillips	Purgason
Rector	Reinhart	Relford	Ridgeway	Roark
Robirds	Ross	Seigfreid	Thompson	Van Zandt
Wilson 25				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 011

Bartelsmeyer	Boykins	Franklin	Froelker	Koller
Lawson	Luetkemeyer	Moore	Quinn	Shoemaker
Troupe				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HCS HB 1202**, relating to sales/use tax: refund of tax, was taken up by Representative Smith.

On motion of Representative Smith, **HCS HB 1202** was read the third time and passed by the following vote:

AYES: 088

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Froelker	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Murphy	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Reid	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 069

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Gambaro	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Bartelsmeyer	Moore	Quinn
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VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Gambaro assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

**HCS HBs 1344 & 1944**, relating to firearms, was taken up by Representative Crump.

On motion of Representative Crump, **HCS HBs 1344 & 1944** was read the third time and passed by the following vote:

AYES: 107

Abel	Ballard	Barnett	Barnitz	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Britt	Burcham	Burton
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Davis	Dempsey
Dolan	Enz	Farnen	Foley	Franklin
Gaskill	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Hartzler	Hegeman
Henderson	Hickey	Hohulin	Holand	Holt
Hosmer	Hunter	Jetton	Johnson 90	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	Smith	Surface	Townley
Treadway	Vogel	Wagner	Ward	Whorton
Wright	Mr. Speaker			

NOES: 046

Baker	Barry 100	Bland	Boucher	Bowman
Boykins	Bray 84	Brooks	Byrd	Campbell
Carnahan	Curls	Daus	Fares	Fraser
Gambaro	George	Hagan-Harrell	Harding	Harlan
Haywood	Hendrickson	Hilgemann	Hollingsworth	Hoppe
Johnson 61	Jolly	Kelly 27	Lowe	O'Connor
O'Toole	Paone	Reynolds	Rizzo	Scheve
Shelton	Skaggs	St. Onge	Thompson	Van Zandt
Villa	Walton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 001

Cunningham

ABSENT WITH LEAVE: 006

Bartelsmeyer	Froelker	Kelley 47	Moore	Quinn
Troupe				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 2025, HB 2022, HB 2009, HB 1867, HB 1969, HB 1838, HB 2047, HB 2031, HB 1837, HB 2008, HB 1881, HB 1872, HB 2123 and HB 1953 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 665**, entitled:

An act to amend chapter 182, RSMo, by adding thereto five new sections relating to public libraries, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 687**, entitled:

An act to repeal sections 210.906, 211.183, 568.030, 568.045 and 568.050, RSMo, relating to abandonment of a child, and to enact in lieu thereof seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 721, 757, 818 & 930**, entitled:

An act to repeal sections 300.075, 300.080, 300.100, 300.105, 300.110, 300.125, 300.160, 300.215, 300.300, 300.348, 300.350, 300.585, 300.595, 302.130, 302.321, 304.001, 304.022, 304.027, 304.190, 304.220, 304.351, 575.010 and 575.150, RSMo, relating to the regulation of traffic offenses, and to enact in lieu thereof twenty-seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 741, 929 & 871**, entitled:

An act to repeal sections 194.210, 194.220, 194.230, 194.233, 194.240, 194.297, 194.299, 194.300, 194.302, 301.020, 302.171 and 302.181, RSMo, relating to organ donation and procurement, and to enact in lieu thereof twelve new sections relating to the same subject, with penalty provisions and with a delayed effective date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 836**, entitled:

An act to repeal sections 32.087 and 144.190, RSMo, and to enact in lieu thereof three new sections relating to the sales tax and refund procedures related to mobile telecommunications services, with an effective date.

With Senate Perfecting Amendment No. 1

*Senate Perfecting Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 836, Page 1, In the Title, Line 4, by inserting immediately after the word "date" the following: "**and an emergency clause**"; and

Further amend said bill, Page 8, Section B, Line 2, by inserting after all of said line the following:

**"Section C. Because of the need to continue telecommunications services this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval."**

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 843 & 658**, entitled:

An act to repeal sections 441.060, 700.100, 700.350, 700.355, 700.360, 700.365, 700.370, 700.385, 700.455, 700.525, 700.527, 700.529, 700.530, 700.531, 700.533, 700.535, 700.537 and 700.539, RSMo, relating to manufactured housing, and to enact in lieu thereof fourteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 874**, entitled:

An act to repeal section 162.700, RSMo, relating to special education, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 947**, entitled:

An act to repeal sections 360.106, 360.111 and 360.112, RSMo, and to enact in lieu thereof three new sections relating to the Missouri health and educational facilities act.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 959**, entitled:

An act to repeal section 620.1355, RSMo, and to enact in lieu thereof one new section relating to investment funds service corporations, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SS SCS SBs 970, 968, 921, 867, 868 & 738**, entitled:

An act to repeal sections 136.055, 142.803, 144.805, 155.080, 226.540, 226.550, 226.573, 226.580, 226.585, 227.100, 302.720, 304.001, 304.190 and 305.230, RSMo, relating to transportation, and to enact in lieu thereof eighteen new sections relating to the same subject, with penalty provisions and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1007**, entitled:

An act to repeal sections 327.011, 327.031, 327.081, 327.401 and 327.411, RSMo, relating to the board of architects, engineers, surveyors and landscape architects, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1039**, entitled:

An act to repeal section 99.134, RSMo, relating to municipal housing authority commissioners, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1061 & 1062**, entitled:

An act to repeal sections 354.085, 354.405 and 354.603, RSMo, and to enact in lieu thereof four new sections relating to health insurance administrative simplification.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1070**, entitled:

An act to repeal sections 43.540 and 589.410, RSMo, relating to protection of children, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1163**, entitled:

An act to repeal section 643.220, RSMo, relating to the air emissions banking and trading program, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1186**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to required set-asides of private land by political subdivisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1199**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to the Sergeant Randy Sullivan Memorial Highway.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1210**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to sales taxes for the promotion of tourism and convention facilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1243**, entitled:

An act to repeal sections 419.010, 419.020, 419.030 and 419.040, RSMo, relating to lodging establishments, and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 21, 2002.



### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Forty-first Day, Tuesday, March 19, 2002, page 684, roll call, by showing Representatives Berkstresser and Cunningham voting "aye" rather than "absent with leave".

Pages 688 and 689, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 697 and 698, roll call, by showing Representatives Champion, Johnson (90), McKenna, Miller and Thompson voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **BUDGET**

Thursday, March 21, 2002, 8:00 a.m. Hearing Room 3.  
Executive Session on House Bills 1102 through 1112. CANCELLED.

#### **BUDGET**

Thursday, March 21, 2002. Hearing Room 3 upon adjournment.  
Executive Session on House Bills 1102 through 1112. CANCELLED.

#### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, March 21, 2002, 8:30 a.m. Hearing Room 7. AMENDED NOTICE.  
To be considered - Executive Session - HB 1198, Executive Session -HB 1231,  
Executive Session - HB 1923

#### **CRIMINAL LAW**

Thursday, March 21, 2002. Side gallery upon morning adjournment.  
Executive Session.

#### **EDUCATION - ELEMENTARY AND SECONDARY**

Thursday, March 21, 2002, 9:00 a.m. Hearing Room 5.  
Hearing to continue on HB 1845.  
Executive Session may follow on HCR 18, HBs 1725, 1726 & 1828.

#### **LOCAL GOVERNMENT AND RELATED MATTERS**

Thursday, March 21, 2002, 9:30 a.m. Side gallery. Executive session.

#### **MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Thursday, March 21, 2002, 9:30 a.m. Side gallery.  
To be considered - Executive Session - HB 1688

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, April 2, 2002, 8:00 p.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1983, HB 2030

**UTILITIES REGULATION**

Thursday, March 21, 2002, 8:30 a.m. Hearing Room 1.

Executive Session. To be considered - HB 1914

**HOUSE CALENDAR**

FORTY-THIRD DAY, THURSDAY, MARCH 21, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1654 & 1156 - Hosmer
- 2 HB 1306 - Williams
- 3 HB 1926 - Fraser
- 4 HCS HB 1502 & 1821 - Luetkenhaus
- 5 HB 1455 - O'Toole
- 6 HCS HB 1735 - Hoppe
- 7 HB 1058 - Haywood
- 8 HCS HB 1756 - Reid
- 9 HCS HB 1443 - Barry
- 10 HB 1489 - Britt
- 11 HCS HB 1692 - Overschmidt
- 12 HB 1460 - Hilgemann
- 13 HB 1488 - Skaggs
- 14 HCS HB 1509 & 1510 - Curls
- 15 HB 1850 - O'Toole
- 16 HB 1869 - Barry
- 17 HCS HB 1143 - Rizzo
- 18 HCS HB 1888 - Barnitz

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker
- 4 HB 1773, as amended - Shelton

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3-15-02)

- 1 HB 2039 - Kreider
- 2 HB 2002 - Farnen
- 3 HB 2080 - Britt
- 4 HB 1537 - Clayton
- 5 HB 1674 - O'Toole
- 6 HB 1757 - George
- 7 HB 1635 - Hoppe
- 8 HB 1659 - Kelly (27)
- 9 HB 2130 - Boykins
- 10 HB 2026 - Green (15)
- 11 HB 1937 - Barry
- 12 HB 1811 - Gambaro
- 13 HB 1973 - Bowman
- 14 HB 2023 - Franklin
- 15 HB 2064 - Walton
- 16 HB 1964 - Gambaro
- 17 HB 1085 - Mays (50)
- 18 HB 2155 - Willoughby
- 19 HB 1812 - Riback Wilson (25)
- 20 HB 1839 - Seigfreid
- 21 HB 1776 - Harlan
- 22 HB 1636 - Hoppe
- 23 HB 1148 - Ross
- 24 HB 1645 - Griesheimer
- 25 HB 2018 - Bartle
- 26 HB 2001 - Hegeman
- 27 HB 1580 - Barnett
- 28 HB 1982 - Richardson
- 29 HB 1846 - Scott

(3-18-02)

- 1 HB 1903 - Liese
- 2 HB 2087 - Whorton
- 3 HB 1955 - Hilgemann
- 4 HB 1701 - Luetkenhaus
- 5 HB 2117 - Boucher
- 6 HB 2032 - Hosmer
- 7 HB 2062 - Hosmer
- 8 HB 1921 - Green (73)
- 9 HB 1803 - Green (73)

- 10     HB 2029 - Hosmer
- 11     HB 1890 - Hilgemann
- 12     HB 2120 - Ridgeway
- 13     HB 1715 - Moore

### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

### **HOUSE BILLS FOR THIRD READING**

- 1     HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2     HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3     HS HCS HB 1392, (Fiscal Review 3-18-02) - Davis
- 4     HS HB 1496 - Green (73)
- 5     HS HCS HB 1440 - Harlan
- 6     HCS HB 1556, E.C. - Rizzo
- 7     HCS HB 1689 - Treadway
- 8     HB 1679 - Crump
- 9     HS HCS HB 1762 - Harding
- 10    HB 1748 - Ransdall
- 11    HB 1851, E.C. - Curls

### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1     HB 1265 - Gratz
- 2     HB 1242 - Griesheimer
- 3     HB 1075 - Nordwald
- 4     HB 1320 - Reid
- 5     HB 1515 - Burton
- 6     HB 1569 - Davis
- 7     HB 1795 - Berkowitz
- 8     HB 1849 - Barnitz
- 9     HB 1745 - Koller
- 10    HB 1400 - Merideth
- 11    HB 1141 - Naeger
- 12    HB 1270 - Gratz
- 13    HB 1822 - Walton
- 14    HB 1783 - Lowe
- 15    HB 1768 - Hosmer
- 16    HB 1814 - Monaco
- 17    HB 1712 - Monaco
- 18    HB 1895 - Carnahan
- 19    HB 1722 - Hosmer
- 20    HB 1779 - Green (73)

- 21 HB 1788 - Ross
- 22 HB 1778 - Monaco
- 23 HB 1789 - Ross
- 24 HB 1314 - Mays (50)
- 25 HB 1632 - O'Connor
- 26 HB 1548 - Barry
- 27 HB 1473 - Green (15)
- 28 HB 1781 - Green (73)
- 29 HB 1194 - Gambaro
- 30 HB 1518 - Luetkenhaus
- 31 HB 1568 - Luetkenhaus
- 32 HB 1409 - Campbell
- 33 HB 1600 - Treadway
- 34 HB 1840 - Seigfreid
- 35 HB 1504 - Liese
- 36 HB 1852 - Villa
- 37 HB 1755 - Merideth
- 38 HB 1643 - Holand
- 39 HB 1861 - Burcham
- 40 HB 1032 - Portwood
- 41 HB 1313 - Burton
- 42 HB 1862 - May (149)
- 43 HB 1986 - Hosmer
- 44 HB 1196 - Barnett
- 45 HB 1041 - Myers
- 46 HB 1953 - Van Zandt
- 47 HB 2025 - Walton
- 48 HB 2123 - Barry
- 49 HB 1872 - Hosmer
- 50 HB 1881 - Rizzo
- 51 HB 2008 - O'Connor
- 52 HB 1837 - Berkowitz
- 53 HB 2031 - O'Connor
- 54 HB 1838 - Hosmer
- 55 HB 2047 - Ransdall
- 56 HB 2009 - O'Connor
- 57 HB 1867 - Griesheimer
- 58 HB 2022 - Richardson
- 59 HB 1969 - Reid

**SENATE BILLS FOR SECOND READING**

- 1 SS SB 665
- 2 SS SB 687
- 3 SCS SB 721, 757, 818 & 930
- 4 SCS SB 741, 929 & 871
- 5 SCS SB 836, as amended
- 6 SS SCS SB 843 & 658
- 7 SCS SB 874
- 8 SCS SB 947
- 9 SS SCS SB 959
- 10 SS SS SCS SB 970, 968, 921, 867, 868 & 738
- 11 SCS SB 1007
- 12 SB 1039
- 13 SCS SB 1061 & 1062
- 14 SCS SB 1070
- 15 SCS SB 1163
- 16 SB 1186
- 17 SB 1199
- 18 SCS SB 1210
- 19 SB 1243

**HOUSE RESOLUTION**

HR 341, (3-7-02, page 518) - Ladd Baker

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTY-THIRD DAY, THURSDAY, MARCH 21, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: You give this Spring day to us and it is full of promise for doing good. Bless with the gift of patience, these men and women of the House in these busy hours.

Temper them with right thinking and clean commitments. Keep their minds and hearts open to careful arguments and to those whose needs are great. Help them this day to seek the best for the people of our state; and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jacob Reynolds, Lynnette Larson, Nichelle Eutsler, Hannah Wood, Autumn Fisher, Courtney Rasmussen, Andrew Yeakey, Bryan Meeker, Kylie Vrbicek, Austin Caby, Cody Propst, Erin Schell, Jessica Williams, Rebecca Barlett, John Stone, Keisha Smith, Ryan English, Dusty Howard, Courtney Seeley, Alyssa Bullock, Tyler Hayes, Eli Stroebe, Bryce Young, Schuyler Cavender, Amber Frampton, Annie Steely, Jacob Burkholder, Elise Hickman, Alicia Dunkin, Jacob Bryan, Rachel Henderson, Scarlett McCall, Maggie Irelan, Adam Nance, James Willman, Cara Chilton, Tabitha Bowsby, Ryan Trankler, Rachel Trankler, Kathleen Rose Kabbaz, Mary Margaret Kabbaz, Katlyne Lee Thies, Emily Marie Thies and Benjamin Schloman.

The Journal of the forty-second day was approved as corrected.

## RESOLUTION

Representative Green (73) offered House Resolution No. 933.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 926	-	Representative Johnson (61)
House Resolution No. 927	-	Representative Liese
House Resolution No. 928	-	Representative Shoemaker (8)
House Resolution No. 929	-	Representative Robirds
House Resolution No. 930	-	Representative Boucher
House Resolution No. 931	-	Representative Rector
House Resolution No. 932	-	Representative Kelly (144)

House Resolution No. 934

through

House Resolution No. 936 - Representative Jetton

House Resolution No. 937 - Representative Legan

House Resolution No. 938

and

House Resolution No. 939 - Representative Farnen

## **SECOND READING OF SENATE BILLS**

**SS SB 665, SS SB 687, SCS SBs 721, 757, 818 & 930, SCS SBs 741, 929 & 871, SCS SB 836, as amended, SS SCS SBs 843 & 658, SCS SB 874, SCS SB 947, SS SCS SB 959, SS SS SCS SBs 970, 968, 921, 867, 868 & 738, SCS SB 1007, SB 1039, SCS SBs 1061 & 1062, SCS SB 1070, SCS SB 1163, SB 1186, SB 1199, SCS SB 1210 and SB 1243** were read the second time.

## **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1994**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Speaker Kreider assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

## **SUPPLEMENTAL CALENDAR**

March 21, 2002

## **HOUSE BILL FOR THIRD READING**

HS HB 1994 - Hosmer

## **PERFECTION OF HOUSE BILLS**

**HB 1306**, relating to multicultural program and committee, was taken up by Representative Williams.

Representative Marble offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1306, Page 3, Section 26.730, Lines 60-65, by deleting all of said lines; and



Further amend said bill, Page 3, Section 26.730, Line 67, by deleting said line.

On motion of Representative Marble, **House Amendment No. 1** was adopted by the following vote:

AYES: 156

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 003

Carnahan	Hampton	Smith
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VACANCIES: 003

Representative Riback Wilson (25) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Bill No. 1306, Page 3, Section 26.730, Line 57, by inserting after said line the following:

“, subject to appropriations.”.

On motion of Representative Riback Wilson (25), **House Amendment No. 2** was adopted.

Representative Ridgeway offered **House Amendment No. 3**.

Representative Williams raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Williams, **HB 1306, as amended**, was ordered perfected and printed.

**HB 1926**, relating to children’s health insurance program, was taken up by Representative Fraser.

Speaker Kreider resumed the Chair.

Representative Naeger offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1926, Page 1, Section 208.631, Line 4, by deleting “**2007.**” and inserting in lieu thereof “**2005.**”; and

Further amend said bill, said page, said section, Line 10, by inserting after said line the following:

“208.633. **1. For enrollees participating in the program prior to July 1, 2002**, the department of social services is authorized to pay for coverage of health care services for uninsured children whose parents or guardians have an available income between zero percent and one hundred eighty-five percent, between one hundred eighty-six percent and two hundred twenty-five percent, between two hundred twenty-six percent and two hundred fifty percent, between two hundred fifty-one percent and two hundred seventy-five percent and between two hundred seventy-six percent and three hundred percent of the federal poverty level, subject to appropriation.

**2. For all new enrollees to the program on or after July 1, 2002, the department of social services is authorized to pay for coverage of health care services for uninsured children whose parents or guardians have an available income between zero percent and two hundred twenty-five percent of the federal poverty level, subject to appropriations.**

208.640. **1. For enrollees participating in the program prior to July 1, 2002**, parents and guardians of uninsured children with available incomes between one hundred eighty-six percent and two hundred twenty-five percent of the federal poverty level are responsible for a five dollar co-payment. **For all new enrollees to the program on or after July 1, 2002, parents and guardians of uninsured children with available incomes between one hundred fifty-one percent and one hundred eighty-five percent of the federal poverty level are responsible for a five dollar co-payment.**

**2. For enrollees participating in the program prior to July 1, 2002**, parents and guardians of uninsured children with incomes between two hundred twenty-six percent and three hundred percent of the federal poverty level

who do not have access to affordable employer-sponsored health care insurance or other affordable health care coverage may obtain coverage pursuant to this subsection. **For all new enrollees to the program on or after July 1, 2002, parents and guardians of uninsured children with incomes between one hundred eighty-six percent and two hundred twenty-five percent of the federal poverty level who do not have access to affordable employer-sponsored health care insurance or other affordable health care coverage may obtain coverage pursuant to this subsection.** For the purposes of sections 208.631 to 208.657, "affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium less than or equal to one hundred thirty-three percent of the monthly average premium **by region** required in the state's current Missouri consolidated health care plan. The parents and guardians of eligible uninsured children pursuant to this subsection are responsible for co-payments equal to the average co-payments required in the current Missouri consolidated health care plan rounded to the nearest dollar, and a monthly premium equal to the average premium **by region** required for the Missouri consolidated health care plan; provided that the total aggregate cost sharing for a family covered by these sections shall not exceed five percent of such family's income for the years involved. No co-payments or other cost sharing is permitted with respect to benefits for well-baby and well-child care including age-appropriate immunizations. Cost-sharing provisions pursuant to sections 208.631 to 208.657 shall not exceed the limits established by 42 U.S.C. Section 1397cc(e)."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Naeger moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Johnson (90) offered **House Amendment No. 2**.

Representative Fraser raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Luetkemeyer offered **House Amendment No. 2**.

Representative Fraser raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Fraser, **HB 1926** was ordered perfected and printed.

### THIRD READING OF HOUSE BILLS

**HS HB 1994**, relating to Southwest Missouri State University, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HS HB 1994** was read the third time and passed by the following vote:

AYES: 100

Abel	Baker	Ballard	Barnitz	Bartelsmeyer
Bartle	Bearden	Berkowitz	Berkstresser	Bland
Boatright	Boucher	Bowman	Boykins	Britt
Brooks	Burcham	Burton	Champion	Cooper
Crump	Curls	Dempsey	Dolan	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Green 73	Hagan-Harrell	Hanaway
Haywood	Henderson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Long	Lowe	Luetkenhaus	Marble	Marsh
McKenna	Merideth	Miller	Monaco	Moore
Nordwald	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Rizzo	Roark	Robirds	Ross
Scheve	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Skaggs	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Wagner	Walton	Ward	Wright	Mr. Speaker

NOES: 053

Barnett	Barry 100	Behnen	Black	Bonner
Bray 84	Byrd	Campbell	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Daus	Davis
Enz	Farnen	Franklin	Graham	Griesheimer
Harding	Harlan	Hartzler	Hegeman	Hendrickson
Hollingsworth	Jolly	Kelley 47	Linton	Lograsso
Luetkemeyer	May 149	Mayer	Mays 50	Murphy
Myers	Naeger	O'Connor	Paone	Relford
Reynolds	Richardson	Ridgeway	Schwab	Shoemyer
Townley	Van Zandt	Vogel	Whorton	Williams
Willoughby	Wilson 25	Wilson 42		

PRESENT: 002

Cunningham      Fares

ABSENT WITH LEAVE: 005

Carnahan      Hampton      Hohulin      Ostmann      Smith

VACANCIES: 003

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**HS HB 1496**, relating to tax increment financing, was taken up by Representative Green (73).

On motion of Representative Green (73), **HS HB 1496** was read the third time and passed by the following vote:

AYES: 115

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Behnen	Berkowitz
Black	Boatright	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Cunningham	Daus	Davis	Dempsey	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Hagan-Harrell	Hanaway	Harlan	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Luetkemeyer	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	O'Connor
O'Toole	Paone	Phillips	Portwood	Quinn
Rector	Reid	Reynolds	Richardson	Ridgeway
Roark	Robirds	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	St. Onge	Thompson	Townley	Troupe
Van Zandt	Villa	Vogel	Walton	Whorton
Williams	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 034

Bearden	Berkstresser	Bland	Bonner	Boucher
Burcham	Campbell	Cooper	Curls	Dolan
Froelker	Green 15	Griesheimer	Harding	Hartzler
Holt	Jolly	Kelley 47	Kelly 144	Lowe
Luetkenhaus	Naeger	Overschmidt	Ransdall	Reinhart
Relford	Rizzo	Ross	Scheve	Skaggs
Treadway	Wagner	Ward	Willoughby	

PRESENT: 001

Crump

ABSENT WITH LEAVE: 010

Carnahan	Hampton	Hohulin	Lograsso	Marble
Nordwald	Ostmann	Purgason	Smith	Surface

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HS HCS HB 1440**, relating to health insurance, was taken up by Representative Harlan.

On motion of Representative Harlan, **HS HCS HB 1440** was read the third time and passed by the following vote:

AYES: 117

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Champion
Cierpiot	Clayton	Copenhaver	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hanaway	Harding	Harlan
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Liese	Lowe
Luetkenhaus	May 149	Mays 50	McKenna	Merideth
Monaco	Moore	Murphy	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Portwood	Quinn
Ransdall	Reid	Reinhart	Relford	Reynolds
Rizzo	Ross	Scheve	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 030

Ballard	Bearden	Behnen	Berkstresser	Boatright
Burton	Cooper	Crawford	Hartzler	Henderson
Hendrickson	Hunter	Kelly 144	Legan	Linton
Long	Luetkemeyer	Marsh	Mayer	Miller
Myers	Purgason	Rector	Richardson	Ridgeway
Roark	Robirds	Scott	St. Onge	Townley

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Carnahan	Hampton	Hohulin	Jetton
Lograsso	Marble	Nordwald	Ostmann	Phillips
Smith	Surface	Wilson 42		

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

**HCS HB 1556**, relating to investment funds service corporations, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HCS HB 1556** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Thompson	Townley
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Carnahan	Davis	Green 73	Hampton
Hohulin	Jetton	Lograsso	Marble	Nordwald
Ostmann	Scheve	Smith	Surface	Treadway
Wilson 42				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Carnahan	Green 73	Hampton	Hickey
Hohulin	Jetton	Lograsso	Marble	Nordwald
Ostmann	Smith	Surface		

VACANCIES: 003

Representative Villa assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

**HCS HB 1689**, relating to professional registration, was taken up by Representative Treadway.

On motion of Representative Treadway, **HCS HB 1689** was read the third time and passed by the following vote:



AYES: 096

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Berkowitz	Berkstresser	Black	Boucher
Britt	Burcham	Burton	Byrd	Champion
Cierpiot	Clayton	Cooper	Crump	Cunningham
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Froelker	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hanaway	Harlan	Hartzler	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 90	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
Merideth	Moore	Naeger	O'Toole	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Secrest	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	St. Onge	Treadway
Villa	Vogel	Ward	Whorton	Wright
Mr. Speaker				

NOES: 052

Barry 100	Behnen	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Brooks	Campbell
Copenhaver	Crawford	Crowell	Curls	Daus
Davis	Enz	Fraser	Gaskill	Harding
Haywood	Hendrickson	Hunter	Johnson 61	Jolly
King	Lograsso	Long	Miller	Murphy
Myers	O'Connor	Paone	Purgason	Rector
Reid	Reinhart	Ridgeway	Roark	Scott
Seigfreid	Selby	Thompson	Townley	Troupe
Van Zandt	Wagner	Walton	Williams	Willoughby
Wilson 25	Wilson 42			

PRESENT: 001

Monaco

ABSENT WITH LEAVE: 011

Baker	Ballard	Carnahan	Hampton	Hohulin
Marble	McKenna	Nordwald	Ostmann	Smith
Surface				

VACANCIES: 003

Speaker Pro Tem Abel declared the bill passed.

Representative Villa resumed the Chair.

**HS HCS HB 1762**, relating to credit cardholders, was taken up by Representative Harding.

On motion of Representative Harding, **HS HCS HB 1762** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Byrd	Campbell	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hunter	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Jetton

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Burton	Carnahan	Clayton	Hampton
Hohulin	Hosmer	Lograsso	Marble	Nordwald
Ostmann	Smith	Surface		

VACANCIES: 003

Representative Villa declared the bill passed.

**HB 1748**, relating to drinking water fees, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HB 1748** was read the third time and passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burcham	Byrd	Campbell	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
St. Onge	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Bowman	Burton	Carnahan	Champion
Dempsey	Green 73	Hampton	Hohulin	Hosmer
Lograsso	Marble	Nordwald	Ostmann	Scheve
Smith	Surface	Troupe	Williams	

VACANCIES: 003

Representative Villa declared the bill passed.

**HB 1851**, relating to housing authorities, was taken up by Representative Curls.

On motion of Representative Curls, **HB 1851** was read the third time and passed by the following vote:

AYES: 107

Abel	Barnitz	Barry 100	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Byrd
Campbell	Clayton	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Liese	Lowe
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Monaco	Murphy	Naeger
O'Connor	O'Toole	Overschmidt	Paone	Purgason
Ransdall	Reid	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Scheve	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 039

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Boatright	Burcham	Champion	Cierpiot
Cooper	Crowell	Cunningham	Dempsey	Enz
Gaskill	Hanaway	Hegeman	Henderson	Hendrickson
Hunter	Kelly 144	Legan	Linton	Luetkemeyer
Miller	Moore	Myers	Phillips	Portwood
Quinn	Rector	Reinhart	Ridgeway	Roark
Schwab	Secrest	St. Onge	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Burton	Carnahan	Hampton	Hohulin
Hosmer	Lograsso	Long	Marble	Nordwald
Ostmann	Smith	Surface	Troupe	

VACANCIES: 003

Representative Villa declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 089

Abel	Barnitz	Barry 100	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Clayton
Copenhaver	Crawford	Crump	Curls	Daus
Davis	Dolan	Fares	Farnen	Foley

Franklin	Fraser	Gambaro	George	Gratz
Green 15	Green 73	Hagan-Harrell	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	King	Koller	Lawson
Liese	Lowe	Luetkenhaus	Marsh	Mays 50
McKenna	Merideth	Monaco	Murphy	O'Connor
O'Toole	Overschmidt	Paone	Ransdall	Relford
Reynolds	Rizzo	Ross	Scheve	Seigfreid
Selby	Shelton	Shoemaker	Shoemyer	Skaggs
Thompson	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 055

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Boatright	Burcham	Byrd
Champion	Cierpiot	Cooper	Crowell	Cunningham
Dempsey	Enz	Froelker	Gaskill	Griesheimer
Hanaway	Hegeman	Hendrickson	Holand	Hunter
Jetton	Kelley 47	Kelly 144	Legan	Linton
Luetkemeyer	May 149	Mayer	Miller	Moore
Myers	Naeger	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Schwab	Scott
Secrest	Shields	St. Onge	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Burton	Carnahan	Graham	Hampton
Henderson	Hohulin	Hosmer	Lograsso	Long
Marble	Nordwald	Ostmann	Smith	Surface
Troupe				

VACANCIES: 003

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1115**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

### HOUSE BILL WITH SENATE AMENDMENT

**SCS HCS HB 1115**, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 1115** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### THIRD READING OF HOUSE BILL - CONSENT

**HB 1822**, relating to military duty, was taken up by Representative Walton.

On motion of Representative Walton, **HB 1822** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Byrd	Campbell	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
St. Onge	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Barry 100	Burton	Carnahan	Hampton
Hohulin	Lograsso	Marble	Nordwald	Ostmann
Smith	Surface	Troupe	Williams	

VACANCIES: 003

Representative Villa declared the bill passed.

### **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 933** - Rules, Joint Rules and Bills Perfected and Printed

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 28** - Utilities Regulation

**HCR 35** - Critical Issues, Consumer Protection and Housing

**HCR 36** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2161** - Social Services, Medicaid and the Elderly

**HB 2185** - Judiciary

### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 2083** - Utilities Regulation

### **COMMITTEE REPORTS**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1846, HB 1982, HB 2039, HB 1580, HB 2001, HB 2018, HB 1645, HB 1148, HB 1636, HB 1937, HB 2026, HB 2130, HB 1659, HB 1635, HB 1757, HB 1674, HB 1537, HB 2080, HB 2002, HB 1776, HB 1839, HB 1812, HB 2155, HB 1085, HB 1964, HB 2064, HB 1811, HB 2023** and **HB 1973 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Budget**, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1101**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1102**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1103**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1105**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1106**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1107**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1108**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1109**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1110**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1111**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1112**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1114**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.



## **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 38**, introduced by Representative Abel, urging the Governor to issue an executive order to address the issue of computer software policy.

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 680**, entitled:

An act to amend chapter 192, RSMo, by adding thereto one new section relating to obesity.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 732**, entitled:

An act to amend chapter 208, RSMo, by adding thereto one new section relating to welfare reform, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 817, 978 & 700**, entitled:

An act to repeal section 537.053, RSMo, relating to dram shop liability, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 957**, entitled:

An act to repeal section 301.131, RSMo, relating to license plates, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1093**, entitled:

An act to repeal section 301.131, RSMo, relating to historic motor vehicles, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1124**, entitled:

An act to authorize the governor to convey certain property in the city of St. Louis.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1137**, entitled:

An act to repeal sections 193.045, 193.065, 193.085, 193.087, 193.115, 193.125, 193.145, 193.225, 193.245, 193.265, 473.697 and 490.620, RSMo, relating to electronic creation and access to birth and death records, and to enact in lieu thereof twelve new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1202**, entitled:

An act to repeal sections 389.005, 389.610 and 621.015, RSMo, and to enact in lieu thereof six new sections relating to the directives of executive order number 02-03, signed by the governor February 7, 2002, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1207**, entitled:

An act to amend chapter 334, RSMo, by adding thereto one new section relating to continuing medical education on autism.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1212**, entitled:

An act to repeal section 41.948, RSMo, relating to students of higher education called to active military service, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1213**, entitled:

An act to repeal sections 388.610 and 388.640, RSMo, relating to railroad corporations, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1217**, entitled:

An act to repeal section 137.495, RSMo, and to enact in lieu thereof one new section relating to tangible personal property listings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1220**, entitled:

An act to repeal sections 313.057, 313.230 and 313.810, RSMo, relating to licensing requirements, and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1227**, entitled:

An act to repeal section 375.330, RSMo, and to enact in lieu thereof one new section relating to investments by insurance companies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1244**, entitled:

An act to repeal section 191.925, RSMo, relating to the newborn hearing screening program, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1247**, entitled:

An act to amend chapter 87, RSMo, by adding thereto one new section relating to the division of certain pension benefits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1258**, entitled:

An act to repeal section 28.160, RSMo, relating to fees charged by the state, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1259**, entitled:

An act to amend chapter 192, RSMo, by adding thereto one new section relating to a food recovery program.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 4:00 p.m., Tuesday, April 2, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Forty-second Day, Wednesday, March 20, 2002, page 712, roll call, by showing Representatives Campbell and Cunningham voting "no" rather than "absent with leave".

Page 712, roll call, by showing Representative Ward voting "aye" rather than "absent with leave".

Pages 713 and 714, roll call, by showing Representatives Boykins, Cunningham, Froelker, Johnson (61) and McKenna voting "aye" rather than "absent with leave".

Page 719, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 719 and 720, roll call, by showing Representative Wright voting "no" rather than "absent with leave".

Pages 720 and 721, roll call, by showing Representative Quinn voting "aye" rather than "absent with leave".

Pages 721 and 722, roll call, by showing Representatives Boykins, Froelker and Quinn voting "aye" rather than "absent with leave".

Pages 722 and 723, roll call, by showing Representative Froelker voting "no" rather than "aye".

Pages 722 and 723, roll call, by showing Representative Quinn voting "no" rather than "absent with leave".

Pages 723 and 724, roll call, by showing Representatives Froelker and Quinn voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, April 4, 2002, 8:00 a.m. Hearing Room 5.

Executive Session may follow.

To be considered - HB 1771, HB 1952, HB 2082

### **EDUCATION - ELEMENTARY AND SECONDARY**

Wednesday, April 3, 2002, 8:00 a.m. Hearing Room 3.

Executive Session may follow on HB 1721.

To be considered - HB 1736, HB 1857, HB 1858, HB 2013, HB 2098

### **RULES, JOINT RULES, BILLS PERFECTED AND PRINTED**

Tuesday, April 2, 2002, 3:00 p.m. Hearing Room 3.

Executive Session to follow.

To be considered - HR 933

### **SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, April 2, 2002, 8:00 p.m. Hearing Room 6.

Executive Session may follow.

To be considered - HB 1983, HB 2030

## **HOUSE CALENDAR**

**FORTY-FOURTH DAY, MONDAY, APRIL 2, 2002**

### **HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 38

### **HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1101 - Green (73)
- 2 HCS HB 1102 - Graham
- 3 HCS HB 1103 - Graham
- 4 HCS HB 1104 - Bonner
- 5 HCS HB 1105 - Bonner
- 6 HCS HB 1106 - Ransdall
- 7 HCS HB 1107 - Ransdall
- 8 HCS HB 1108 - Kelly (27)
- 9 HCS HB 1109 - Kelly (27)
- 10 HCS HB 1110 - Riback Wilson (25)
- 11 HCS HB 1111 - Troupe
- 12 HCS HB 1112 - Bonner
- 13 HCS HB 1114 - Green (73)

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1654 & 1156 - Hosmer
- 2 HCS HB 1502 & 1821 - Luetkenhaus
- 3 HB 1455 - O'Toole
- 4 HCS HB 1735 - Hoppe
- 5 HB 1058 - Haywood
- 6 HCS HB 1756 - Reid
- 7 HCS HB 1443 - Barry
- 8 HB 1489 - Britt
- 9 HCS HB 1692 - Overschmidt
- 10 HB 1460 - Hilgemann
- 11 HB 1488 - Skaggs
- 12 HCS HB 1509 & 1510 - Curls
- 13 HB 1850 - O'Toole
- 14 HB 1869 - Barry
- 15 HCS HB 1143 - Rizzo
- 16 HCS HB 1888 - Barnitz

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker
- 4 HB 1773, as amended - Shelton

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3-18-02)

- 1 HB 1903 - Liese
- 2 HB 2087 - Whorton
- 3 HB 1955 - Hilgemann
- 4 HB 1701 - Luetkenhaus
- 5 HB 2117 - Boucher
- 6 HB 2032 - Hosmer
- 7 HB 2062 - Hosmer
- 8 HB 1921 - Green (73)
- 9 HB 1803 - Green (73)
- 10 HB 2029 - Hosmer
- 11 HB 1890 - Hilgemann

- 12 HB 2120 - Ridgeway
- 13 HB 1715 - Moore

### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HS HCS HB 1392, (Fiscal Review 3-18-02) - Davis
- 4 HB 1679 - Crump

### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1265 - Gratz
- 2 HB 1242 - Griesheimer
- 3 HB 1075 - Nordwald
- 4 HB 1320 - Reid
- 5 HB 1515 - Burton
- 6 HB 1569 - Davis
- 7 HB 1795 - Berkowitz
- 8 HB 1849 - Barnitz
- 9 HB 1745 - Koller
- 10 HB 1400 - Merideth
- 11 HB 1141 - Naeger
- 12 HB 1270 - Gratz
- 13 HB 1783 - Lowe
- 14 HB 1768 - Hosmer
- 15 HB 1814 - Monaco
- 16 HB 1712 - Monaco
- 17 HB 1895 - Carnahan
- 18 HB 1722 - Hosmer
- 19 HB 1779 - Green (73)
- 20 HB 1788 - Ross
- 21 HB 1778 - Monaco
- 22 HB 1789 - Ross
- 23 HB 1314 - Mays (50)
- 24 HB 1632 - O'Connor
- 25 HB 1548 - Barry
- 26 HB 1473 - Green (15)
- 27 HB 1781 - Green (73)
- 28 HB 1194 - Gambaro
- 29 HB 1518 - Luetkenhaus

- 30 HB 1568 - Luetkenhaus
- 31 HB 1409 - Campbell
- 32 HB 1600 - Treadway
- 33 HB 1840 - Seigfreid
- 34 HB 1504 - Liese
- 35 HB 1852 - Villa
- 36 HB 1755 - Merideth
- 37 HB 1643 - Holand
- 38 HB 1861 - Burcham
- 39 HB 1032 - Portwood
- 40 HB 1313 - Burton
- 41 HB 1862 - May (149)
- 42 HB 1986 - Hosmer
- 43 HB 1196 - Barnett
- 44 HB 1041 - Myers
- 45 HB 1953 - Van Zandt
- 46 HB 2025 - Walton
- 47 HB 2123 - Barry
- 48 HB 1872 - Hosmer
- 49 HB 1881 - Rizzo
- 50 HB 2008 - O'Connor
- 51 HB 1837 - Berkowitz
- 52 HB 2031 - O'Connor
- 53 HB 1838 - Hosmer
- 54 HB 2047 - Ransdall
- 55 HB 2009 - O'Connor
- 56 HB 1867 - Griesheimer
- 57 HB 2022 - Richardson
- 58 HB 1969 - Reid
- 59 HB 2039 - Kreider
- 60 HB 2002 - Farnen
- 61 HB 2080 - Britt
- 62 HB 1537 - Clayton
- 63 HB 1674 - O'Toole
- 64 HB 1757 - George
- 65 HB 1635 - Hoppe
- 66 HB 1659 - Kelly (27)
- 67 HB 2130 - Boykins
- 68 HB 2026 - Green (15)
- 69 HB 1937 - Barry
- 70 HB 1811 - Gambaro
- 71 HB 1973 - Bowman
- 72 HB 2023 - Franklin
- 73 HB 2064 - Walton
- 74 HB 1964 - Gambaro



- 75 HB 1085 - Mays (50)
- 76 HB 2155 - Willoughby
- 77 HB 1812 - Riback Wilson (25)
- 78 HB 1839 - Seigfreid
- 79 HB 1776 - Harlan
- 80 HB 1636 - Hoppe
- 81 HB 1148 - Ross
- 82 HB 1645 - Griesheimer
- 83 HB 2018 - Bartle
- 84 HB 2001 - Hegeman
- 85 HB 1580 - Barnett
- 86 HB 1982 - Richardson
- 87 HB 1846 - Scott

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 680
- 2 SCS SB 732
- 3 SS SCS SB 817, 978 & 700
- 4 SCS SB 957
- 5 SCS SB 1093
- 6 SB 1124
- 7 SCS SB 1137
- 8 SCS SB 1202
- 9 SCS SB 1207
- 10 SCS SB 1212
- 11 SB 1213
- 12 SB 1217
- 13 SB 1220
- 14 SCS SB 1227
- 15 SB 1244
- 16 SB 1247
- 17 SCS SB 1258
- 18 SCS SB 1259

**BILL CARRYING REQUEST MESSAGE**

SCS HCS HB 1115, (req. Senate recede/grant conference) - Green (73)

**HOUSE RESOLUTION**

HR 341, (3-7-02, page 518) - Ladd Baker

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTY-FOURTH DAY, TUESDAY, APRIL 2, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Come Spirit of God, Come.

Free this House from all reluctance that these men and women may give freely and totally of what they have and what they are. Send Your transforming fire into their hearts and into our state. Renew the face of the earth.

Come Spirit of God, Come.

Teach all of us Your immeasurable generosity. Empower our leaders to welcome the stranger, to heal the broken-hearted, to calm the distressed. May we all love without measure everyone who enters our life.

Come Spirit of God, Come.

Remove all fear from the hearts of all here present, and grace us all with trust in love's enduring power. May we all be vital and joyful instruments of Your growth and peace in a world that knows too much violence and pain.

COME SPIRIT OF GOD, COME!

(This prayer has been slightly adapted for use in the House of Representatives from a prayer by Robert Morneau of Wisconsin.)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kim Klipsch, Patricia Ruzicka, Maggie Sueme and Erin Anselman.

The Journal of the forty-third day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 940	-	Representative Scott
House Resolution No. 941	-	Representative Burton, et al
House Resolution No. 942		
and		
House Resolution No. 943	-	Representative Cunningham
House Resolution No. 944	-	Representative Shelton
House Resolution No. 945	-	Representative Surface

House Resolution No. 946	
through	
House Resolution No. 950	- Representative Jetton
House Resolution No. 951	- Representative Mayer
House Resolution No. 952	
through	
House Resolution No. 963	- Representative Naeger
House Resolution No. 964	
through	
House Resolution No. 967	- Representative Reinhart
House Resolution No. 968	
and	
House Resolution No. 969	- Representative Richardson
House Resolution No. 970	
through	
House Resolution No. 977	- Representative Crowell
House Resolution No. 978	- Representative Liese, et al
House Resolution No. 979	
through	
House Resolution No. 981	- Representative Rector
House Resolution No. 982	- Representatives Rector and Bartle
House Resolution No. 983	- Representatives Rector and Marble
House Resolution No. 984	- Representatives Rector and Kelley (47)
House Resolution No. 985	- Representatives Rector and Hoppe
House Resolution No. 986	
through	
House Resolution No. 999	- Representative Johnson (90)
House Resolution No. 1000	- Representative Champion, et al
House Resolution No. 1001	- Representative Champion
House Resolution No. 1002	
and	
House Resolution No. 1003	- Representative Kreider
House Resolution No. 1004	- Representative Bartelsmeyer
House Resolution No. 1005	- Representative Abel
House Resolution No. 1006	- Representative Barnett
House Resolution No. 1007	
and	
House Resolution No. 1008	- Representative Luetkemeyer
House Resolution No. 1009	
through	
House Resolution No. 1023	- Representative Schwab

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 38** was read the second time.

## SECOND READING OF SENATE BILLS

**SCS SB 680, SCS SB 732, SS SCS SBs 817, 978 & 700, SCS SB 957, SCS SB 1093, SB 1124, SCS SB 1137, SCS SB 1202, SCS SB 1207, SCS SB 1212, SB 1213, SB 1217, SB 1220, SCS SB 1227, SB 1244, SB 1247, SCS SB 1258 and SCS SB 1259** were read the second time.

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HR 933**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### HOUSE COMMITTEE SUBSTITUTE FOR HOUSE RESOLUTION NO. 933

WHEREAS, the budget of the State of Missouri is required by the Missouri Constitution to balance revenues and expenditures; and

WHEREAS, revenue projections, mandatory expenditures, and constitutionally set spending priorities make passing the budget for fiscal year 2003 extraordinarily difficult; and

WHEREAS, the House Committee on Budget has scrutinized the budget as recommended by the governor and will report appropriations bills to the House which represent the best effort to balance revenues and expenditures for fiscal year 2003:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, in the perfection of appropriations bills for fiscal year 2003, will observe the following procedure, which shall for purposes of parliamentary rulings be regarded as a definitive statement of the practice of the House:

"1. No amendment to any appropriations bill shall be in order that increases the total amount of general revenue appropriated in the bill as it was reported from the Committee on Budget, except that for the operating budget (House Bills Nos. 1101 to 1112) any increase in the general revenue appropriated in a bill may also be balanced

(1) by a decrease in general revenue appropriation which results from adoption of an amendment to another operating budget bill in a manner that does not increase the total of general revenue appropriated by all of the operating budget bills considered in the aggregate as they were reported from the Committee on Budget; or

(2) by an increase in appropriation to the General Revenue Fund from the Budget Reserve Fund (House Bill No. 1114).

2. Any member offering an increasing amendment to be balanced by a decreasing amendment to another operating budget bill shall submit the amendments together. If the decreasing amendment applies to the pending bill and the amendment is adopted, the increasing amendment shall be taken

up when the bill it applies to is taken up. If the decreasing amendment applies to a bill that has not been perfected, the decreasing amendment shall be taken up and disposed of first by going to the bill to be amended by the decreasing amendment. If the decreasing amendment is adopted, the increasing amendment shall be taken up next. If the decreasing amendment is not adopted, the increasing amendment shall not be in order. Decreasing amendments shall clearly state where the increased amount of moneys would be appropriated in the event that the corresponding increasing amendment is adopted.

3. Any member offering an increasing amendment to the operating budget to be balanced by an increase in appropriation from the Budget Reserve Fund shall submit the amendments together. The amendment to House Bill No. 1114 shall be taken up and disposed of first by going to House Bill No. 1114. For adoption the amendment to House Bill No. 1114 shall require approval by two-thirds of the members elected. If the amendment to House Bill 1114 is adopted, the increasing amendment to the operating budget bill shall be taken up next. If the amendment to House Bill No. 1114 is not adopted, the increasing amendment shall not be in order."

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1306** and **HB 1926**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## SUPPLEMENTAL CALENDAR

April 2, 2002

### HOUSE RESOLUTION

HCS HR 933 - Green (73)

### THIRD READING OF HOUSE BILLS - CONSENT

**HB 1242**, relating to a special license plate, was taken up by Representative Griesheimer.

On motion of Representative Griesheimer, **HB 1242** was read the third time and passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller

Lawson	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Townley                      Wilson 25

PRESENT: 002

Copenhaver                      Harding

ABSENT WITH LEAVE: 006

Berkstresser	Brooks	Harlan	Johnson 61	Long
Reid				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1075**, relating to abandoned vehicles, was taken up by Representative Griesheimer.

On motion of Representative Griesheimer, **HB 1075** was read the third time and passed by the following vote:

AYES: 158

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27

Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 003

Berkstresser	Brooks	Johnson 61
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VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1320**, relating to a special license plate, was taken up by Representative Reid.

On motion of Representative Reid, **HB 1320** was read the third time and passed by the following vote:

AYES: 154

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble

Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Townley	Wilson 25
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PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 004

Berkstresser	Brooks	Johnson 61	Lowe
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VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1515**, relating to honorary high school diplomas, was taken up by Representative Burton.

On motion of Representative Burton, **HB 1515** was read the third time and passed by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth



Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Haywood

PRESENT: 001

Copenhaver

ABSENT WITH LEAVE: 007

Baker	Berkstresser	Brooks	Johnson 61	Kelly 27
Reid	Williams			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1569**, relating to waste tires, was taken up by Representative Davis.

On motion of Representative Davis, **HB 1569** was read the third time and passed by the following vote:

AYES: 158

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer

Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Berkstresser	Brooks	Johnson 61
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VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1795**, relating to conveyance in several counties, was taken up by Representative Berkowitz.

On motion of Representative Berkowitz, **HB 1795** was read the third time and passed by the following vote:

AYES: 157

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone

Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Berkstresser	Brooks	Johnson 61	Surface
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VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1265**, relating to registration with selective service, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 1265** was read the third time and passed by the following vote:

AYES: 113

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Burcham	Burton	Carnahan	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Franklin	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Hartzler
Haywood	Henderson	Hickey	Holand	Holt
Hunter	Jetton	Jolly	Kelley 47	Kelly 36
Koller	Legan	Liese	Linton	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Whorton
Willoughby	Wright	Mr. Speaker		

NOES: 041

Baker	Bartelsmeyer	Bray 84	Byrd	Campbell
Champion	Copenhaver	Curls	Daus	Fares
Fraser	Hagan-Harrell	Harding	Harlan	Hegeman
Hendrickson	Hilgemann	Hohulin	Hollingsworth	Hoppe
Hosmer	Johnson 90	Jones	Kelly 144	Kelly 27
King	Long	Lowe	Murphy	Ostmann
Ridgeway	Rizzo	Scheve	Shields	Thompson
Troupe	Van Zandt	Walker	Williams	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Britt	Brooks	Johnson 61	Lawson
Lograsso	Mays 50	Monaco		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1849**, relating to conveyance in Crawford county, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **HB 1849** was read the third time and passed by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby

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Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Berkstresser	Brooks	Byrd	Johnson 61
Lograsso	Troupe			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1745**, relating to a memorial highway, was taken up by Representative Koller.

On motion of Representative Koller, **HB 1745** was read the third time and passed by the following vote:

AYES: 155

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs

Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Ballard	Berkstresser	Brooks	Johnson 61
Lograsso	Van Zandt			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1400**, relating to a memorial bridge, was taken up by Representative Merideth.

On motion of Representative Merideth, **HB 1400** was read the third time and passed by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Berkstresser	Brooks	Johnson 61	Linton
Lograsso	St. Onge			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1141**, relating to a memorial highway, was taken up by Representative Naeger.

On motion of Representative Naeger, **HB 1141** was read the third time and passed by the following vote:

AYES: 151

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Ballard	Berkstresser	Boatright	Brooks
Holt	Johnson 61	Lawson	Lograsso	Ostmann
Reinhart				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1270**, relating to special permits for oversized vehicles, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 1270** was read the third time and passed by the following vote:

AYES: 113

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Berkowitz	Black	Boatright	Bonner
Britt	Burcham	Burton	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Cunningham	Davis	Dempsey	Dolan	Enz
Farnen	Franklin	Froelker	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Moore	Myers	Naeger	Nordwald
O'Connor	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Townley
Vogel	Wagner	Walton	Ward	Whorton
Wilson 25	Wright	Mr. Speaker		

NOES: 039

Barry 100	Bearden	Bland	Boucher	Bowman
Bray 84	Byrd	Campbell	Crowell	Curls
Daus	Fares	Foley	Fraser	Gambaro
Hagan-Harrell	Harlan	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Mays 50	Monaco	Murphy
O'Toole	Ostmann	Paone	Reynolds	Ridgeway
Smith	Thompson	Treadway	Van Zandt	Villa
Walker	Williams	Willoughby	Wilson 42	

PRESENT: 001

Boykins



ABSENT WITH LEAVE: 009

Baker	Ballard	Berkstresser	Brooks	Crump
Holand	Johnson 61	Lograsso	Troupe	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1783**, relating to Missouri Commission for the Deaf, was taken up by Representative Lowe.

On motion of Representative Lowe, **HB 1783** was read the third time and passed by the following vote:

AYES: 154

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Berkstresser	Boucher	Brooks	Johnson 61
Lograsso	Marble	Troupe		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1768**, relating to judgment liens on real estate, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1768** was read the third time and passed by the following vote:

AYES: 154

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Berkstresser	Brooks	Johnson 61	Lograsso
Long	Myers	Troupe		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1814**, relating to orders of protection, was taken up by Representative Monaco.

On motion of Representative Monaco, **HB 1814** was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Berkstresser	Brooks	Green 73	Harlan
Hosmer	Johnson 61	Lawson	Lograsso	Long
Marble	McKenna			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1712**, relating to secured transactions, was taken up by Representative Monaco.

On motion of Representative Monaco, **HB 1712** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Berkstresser	Boatright	Brooks	Franklin	Harlan
Hickey	Hosmer	Johnson 61	Kelly 27	Lograsso
Long	McKenna	Ostmann	Shields	Troupe

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1895**, relating to electronic justice information, was taken up by Representative Carnahan.

On motion of Representative Carnahan, **HB 1895** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Lawson	Legan	Linton
Lowe	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Berkstresser	Brooks	Clayton	Dempsey	Hanaway
Harlan	Hohulin	Johnson 61	Kelly 27	Liese
Lograsso	Long	Luetkemeyer	McKenna	O'Toole

VACANCIES: 001

Speaker Kreider declared the bill passed.

## HOUSE RESOLUTION

**HCS HR 933**, relating to the budget, was taken up by Representative Green (73).

Representative Kelley (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Resolution No. 933, Page 2, Section 3, Line 15, by adding the words:

**“An amendment may be offered to increase an amount to any bill and have the money taken from the money set aside for supplemental, as long as the total for all such amendments are below 50 million dollars.”**

On motion of Representative Kelley (47), **House Amendment No. 1** was adopted.

On motion of Representative Green (73), **HCS HR 933, as amended**, was adopted.

On motion of Representative Green (73), **HCS HR 933, as amended**, was adopted by the following vote:

AYES: 125

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Fares	Farnen
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Overschmidt	Paone
Portwood	Quinn	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 030

Ballard	Bartelsmeyer	Bearden	Boatright	Byrd
Cierpiot	Cooper	Crowell	Cunningham	Dempsey
Dolan	Enz	Froelker	Griesheimer	Hendrickson
Hohulin	Hunter	Jetton	Kelly 144	Marble
Mayer	Nordwald	Phillips	Purgason	Reid
Roark	Scott	Surface	Troupe	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkstresser	Brooks	Foley	Johnson 61	Linton
Long	Ostmann			

VACANCIES: 001

Speaker Pro Tem Abel assumed the Chair.

## RECONSIDERATION

Representative Relford, having voted on the prevailing side, moved that the vote by which **HB 1412** was defeated on Third Reading - Consent, be reconsidered.

Which motion was adopted by the following vote:

AYES: 082

Baker	Barry 100	Berkowitz	Bland	Bonner
Boucher	Bowman	Bray 84	Britt	Burton
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crump	Cunningham	Curls	Daus	Davis
Farnen	Franklin	Fraser	Gambara	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Monaco	Murphy	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Relford	Reynolds	Rizzo
Ross	Scheve	Seigfreid	Selby	Shelton
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 062

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Black	Boatright	Burcham	Cierpiot
Cooper	Crawford	Crowell	Dempsey	Enz
Fares	Gaskill	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Lograsso	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Myers	Naeger	Nordwald	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Ridgeway	Roark	Robirds	Schwab	Scott
Secrest	Shields	Shoemaker	Shoemyer	St. Onge
Townley	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 018

Abel	Bearden	Berkstresser	Boykins	Brooks
Byrd	Dolan	Foley	Froelker	Johnson 61
Koller	Linton	Long	Merideth	Ostmann
Richardson	Vogel	Wagner		

VACANCIES: 001

On motion of Representative Skaggs, **HB 1412**, relating to a special license plate, was read the third time and passed by the following vote:

AYES: 083

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Crump	Cunningham	Curls
Daus	Davis	Dolan	Farnen	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
Murphy	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Ross
Scheve	Seigfreid	Selby	Shelton	Skaggs
Smith	Surface	Thompson	Treadway	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 42		

NOES: 063

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Boatright	Burcham
Cierpiot	Cooper	Crawford	Crowell	Dempsey
Enz	Gaskill	Griesheimer	Hampton	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Luetkemeyer	Marble	May 149	Mayer
Merideth	Miller	Moore	Myers	Naeger
Nordwald	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Ridgeway	Roark
Robirds	Schwab	Scott	Secrest	Shields
Shoemaker	Shoemyer	St. Onge	Townley	Vogel
Wilson 25	Wright	Mr. Speaker		

PRESENT: 003

Copenhaver	Fares	Marsh
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ABSENT WITH LEAVE: 013

Berkstresser	Brooks	Foley	Froelker	Johnson 61
Koller	Linton	Lograsso	Long	Ostmann
Richardson	Troupe	Williams		



VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 32** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1306** - Fiscal Review and Government Reform (Fiscal Note)

**HB 1926** - Fiscal Review and Government Reform (Fiscal Note)

### **COMMITTEE REPORT**

**Committee on Rules, Joint Rules, and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 2120, HB 1890, HB 2029, HB 1803, HB 1921, HB 2062, HB 2032, HB 2117, HB 1701, HB 1955, HB 2087, HB 1903** and **HB 1715 (Consent)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1119**, entitled:

An act to amend chapter 8, RSMo, by adding thereto one new section relating to security of state owned buildings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1182**, entitled:

An act to repeal section 334.104, RSMo, relating to the state board of registration for the healing arts, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1203**, entitled:

An act to repeal sections 137.100, 144.030 and 144.615, RSMo, relating to various tax exemptions, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1241, 1253 & 1189**, entitled:

An act to amend chapter 301, RSMo, by adding thereto five new sections relating to special license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1251**, entitled:

An act to amend chapter 333, RSMo, by adding thereto one new section relating to liability of funeral directors and funeral establishments.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1269**, entitled:

An act to repeal sections 407.750, 407.751, 407.752, 407.850, 407.860, 407.870, 407.890, 407.892 and 407.893, RSMo, and to enact in lieu thereof three new sections relating to merchandising practices.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Johnson (61) is no longer a member of the Rules, Joint Rules and Bills Perfected and Printed Committee.

Representative Monaco has been appointed a member of the Rules, Joint Rules and Bills Perfected and Printed Committee.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 3, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Forty-third Day, Thursday, March 21, 2002, pages 740 and 741, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 741 and 742, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 741 and 742, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 742 and 743, roll call, by showing Representatives Davis, Jetton, Surface and Wilson (42) voting "aye" rather than "absent with leave".

Pages 743 and 744, roll call, by showing Representatives Jetton and Surface voting "aye" rather than "absent with leave".

Pages 744 and 745, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Pages 744 and 745, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Page 746, roll call, by showing Representatives Hosmer and Surface voting "aye" rather than "absent with leave".

Pages 746 and 747, roll call, by showing Representatives Hosmer and Surface voting "aye" rather than "absent with leave".

Pages 747 and 748, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 747 and 748, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 748 and 749, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 748 and 749, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 750 and 751, roll call, by showing Representatives Barry and Surface voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, April 4, 2002, 8:00 a.m. Hearing Room 5.

Executive Session may follow.

Public Hearing to be held on: HB 1771, HB 1952, HB 2082

### **CIVIL AND ADMINISTRATIVE LAW**

Wednesday, April 3, 2002. Hearing Room 1 upon morning recess.

Public Hearing to be held on: HB 1315, HB 1917, HB 2017, HB 2121

Executive Session to be held on: HB 2151

### **EDUCATION - ELEMENTARY AND SECONDARY**

Wednesday, April 3, 2002, 8:00 a.m. Hearing Room 3.

Executive Session may follow on HB 1721.

Public Hearing to be held on: HB 1736, HB 1857, HB 1858, HB 2013, HB 2098

### **ENVIRONMENT AND ENERGY**

Thursday, April 4, 2002, 8:30 a.m. Hearing Room 7.

Executive Session on House Bill 1599 may follow.

Public Hearing to be held on: HB 1347, HB 1599, HB 2036, HB 2040

### **SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Wednesday, April 3, 2002, 9:30 a.m. Hearing Room 5.

Executive Session to be held on: HB 1547, HB 1609, HB 1680

### **UTILITIES REGULATION**

Wednesday, April 3, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

Public Hearing to be held on: HB 2083, HCR 28

## **HOUSE CALENDAR**

**FORTY-FIFTH DAY, WEDNESDAY, APRIL 3, 2002**

### **HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1101 - Green (73)
- 2 HCS HB 1102 - Graham
- 3 HCS HB 1103 - Graham
- 4 HCS HB 1104 - Bonner
- 5 HCS HB 1105 - Bonner
- 6 HCS HB 1106 - Ransdall
- 7 HCS HB 1107 - Ransdall
- 8 HCS HB 1108 - Kelly (27)

- 9     HCS HB 1109 - Kelly (27)
- 10    HCS HB 1110 - Riback Wilson (25)
- 11    HCS HB 1111 - Troupe
- 12    HCS HB 1112 - Bonner
- 13    HCS HB 1114 - Green (73)

#### **HOUSE BILLS FOR PERFECTION**

- 1     HCS HB 1654 & 1156 - Hosmer
- 2     HCS HB 1502 & 1821 - Luetkenhaus
- 3     HB 1455 - O'Toole
- 4     HCS HB 1735 - Hoppe
- 5     HB 1058 - Haywood
- 6     HCS HB 1756 - Reid
- 7     HCS HB 1443 - Barry
- 8     HB 1489 - Britt
- 9     HCS HB 1692 - Overschmidt
- 10    HB 1460 - Hilgemann
- 11    HB 1488 - Skaggs
- 12    HCS HB 1509 & 1510 - Curls
- 13    HB 1850 - O'Toole
- 14    HB 1869 - Barry
- 15    HCS HB 1143 - Rizzo
- 16    HCS HB 1888 - Barnitz

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1     HB 1594, as amended - Gratz
- 2     HCS HB 1069 - Bray
- 3     HCS HB 1479 - Ladd Baker
- 4     HB 1773, as amended - Shelton

#### **HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1     HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2     HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3     HS HCS HB 1392, (Fiscal Review 3-18-02) - Davis

- 4 HB 1679 - Crump
- 5 HB 1306, E.C. (Fiscal Review 4-2-02) - Williams
- 6 HB 1926, E.C. (Fiscal Review 4-2-02) - Fraser

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1722 - Hosmer
- 2 HB 1779 - Green (73)
- 3 HB 1788 - Ross
- 4 HB 1778 - Monaco
- 5 HB 1789 - Ross
- 6 HB 1314 - Mays (50)
- 7 HB 1632 - O'Connor
- 8 HB 1548 - Barry
- 9 HB 1473 - Green (15)
- 10 HB 1781 - Green (73)
- 11 HB 1194 - Gambaro
- 12 HB 1518 - Luetkenhaus
- 13 HB 1568 - Luetkenhaus
- 14 HB 1409 - Campbell
- 15 HB 1600 - Treadway
- 16 HB 1840 - Seigfreid
- 17 HB 1504 - Liese
- 18 HB 1852 - Villa
- 19 HB 1755 - Merideth
- 20 HB 1643 - Holand
- 21 HB 1861 - Burcham
- 22 HB 1032 - Portwood
- 23 HB 1313 - Burton
- 24 HB 1862 - May (149)
- 25 HB 1986 - Hosmer
- 26 HB 1196 - Barnett
- 27 HB 1041 - Myers
- 28 HB 1953 - Van Zandt
- 29 HB 2025 - Walton
- 30 HB 2123 - Barry
- 31 HB 1872 - Hosmer
- 32 HB 1881 - Rizzo
- 33 HB 2008 - O'Connor
- 34 HB 1837 - Berkowitz
- 35 HB 2031 - O'Connor
- 36 HB 1838 - Hosmer
- 37 HB 2047 - Ransdall
- 38 HB 2009 - O'Connor
- 39 HB 1867 - Griesheimer

- 40     HB 2022 - Richardson
- 41     HB 1969 - Reid
- 42     HB 2039 - Kreider
- 43     HB 2002 - Farnen
- 44     HB 2080 - Britt
- 45     HB 1537 - Clayton
- 46     HB 1674 - O'Toole
- 47     HB 1757, E.C. - George
- 48     HB 1635 - Hoppe
- 49     HB 1659 - Kelly (27)
- 50     HB 2130 - Boykins
- 51     HB 2026 - Green (15)
- 52     HB 1937 - Barry
- 53     HB 1811 - Gambaro
- 54     HB 1973 - Bowman
- 55     HB 2023 - Franklin
- 56     HB 2064 - Walton
- 57     HB 1964 - Gambaro
- 58     HB 1085 - Mays (50)
- 59     HB 2155 - Willoughby
- 60     HB 1812 - Riback Wilson (25)
- 61     HB 1839 - Seigfreid
- 62     HB 1776 - Harlan
- 63     HB 1636 - Hoppe
- 64     HB 1148 - Ross
- 65     HB 1645 - Griesheimer
- 66     HB 2018 - Bartle
- 67     HB 2001 - Hegeman
- 68     HB 1580 - Barnett
- 69     HB 1982 - Richardson
- 70     HB 1846 - Scott
- 71     HB 1903 - Liese
- 72     HB 2087 - Whorton
- 73     HB 1955 - Hilgemann
- 74     HB 1701 - Luetkenhaus
- 75     HB 2117 - Boucher
- 76     HB 2032 - Hosmer
- 77     HB 2062 - Hosmer
- 78     HB 1921 - Green (73)
- 79     HB 1803 - Green (73)
- 80     HB 2029 - Hosmer
- 81     HB 1890 - Hilgemann
- 82     HB 2120 - Ridgeway
- 83     HB 1715 - Moore

**SENATE BILLS FOR SECOND READING**

- 1 SB 1119
- 2 SCS SB 1182
- 3 SCS SB 1203
- 4 SCS SB 1241, 1253 & 1189
- 5 SB 1251
- 6 SB 1269

**BILL CARRYING REQUEST MESSAGES**

SCS HCS HB 1115, (req. Senate recede/grant conference) - Green (73)

**HOUSE RESOLUTION**

HR 341, (3-7-02, page 518) - Ladd Baker



# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTY-FIFTH DAY, WEDNESDAY, APRIL 3, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, we thank You for the mystery of our years and the will to live; for the rewards of solitude and the pleasure of work well done. We are thankful for goodwill from unexpected sources that finds us in our seasons of need and for the gift of faith that gives our life a broad and sure foundation.

Forgive us, we pray, that we are so anxious to have the approval of neighbors, forgetting that You are the source of life and goodness. We know that it is only Your approval that brings us peace and a clear conscience.

In the beauty of this Spring, help us all to do better and better. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Holly Perkins, Arnell Reed, Christopher Wesley, Brittani Dunbar, L'Neece Fitts, Becky Owens, Caleb Johnson, Mikiah Mullins, Kaitlin Eckhoff, Malia Andereck, Kevin Gomez, Jasmina Mulalic, Jason Baker, Elise Andrael Gray, Denny J. Merideth IV and Kristofer D. Merideth.

The Journal of the forty-fourth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1024

through

House Resolution No. 1051 - Representative Murphy

House Resolution No. 1052

through

House Resolution No. 1065 - Representative Hendrickson

House Resolution No. 1066

through

House Resolution No. 1070 - Representatives Hendrickson and Enz

House Resolution No. 1071 - Representatives Hendrickson and Barry

House Resolution No. 1072

through

House Resolution No. 1079 - Representatives Hendrickson and Enz

House Resolution No. 1080

through

House Resolution No. 1093 - Representatives Hendrickson and Barry

House Resolution No. 1094 - Representative Franklin

House Resolution No. 1095 - Representative Hendrickson

House Resolution No. 1096 - Representative Smith

House Resolution No. 1097 - Representative Surface

House Resolution No. 1098 - Representative Berkowitz

House Resolution No. 1099 - Representative Hegeman

House Resolution No. 1100 - Representative Reinhart

## SECOND READING OF SENATE BILLS

**SB 1119, SCS SB 1182, SCS SB 1203, SCS SBs 1241, 1253 & 1189, SB 1251 and SB 1269** were read the second time.

## PERFECTION OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 1101**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 1101** was adopted.

On motion of Representative Green (73), **HCS HB 1101** was ordered perfected and printed.

**HCS HB 1102**, relating to appropriations, was taken up by Representative Graham.

Representative Graham offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1102, Page 5, Section 2.070, Line 9, by inserting immediately thereafter one new section to read as follows:

“Section 2.071. To the Department of Elementary and Secondary Education  
For improving services to Missouri children through activities under the  
Goals 2000: Educate America Act

From Federal Funds (0 F.T.E.) ..... \$2,000,000”; and

Further amend said bill, Section 2.075, Line 8, by deleting the number “9,281,183” and inserting in lieu thereof the number “**12,162,366**”; and

Further amend said section, Line 10, by deleting the number “22,875,879” and inserting in lieu thereof the number “**25,757,062**”; and

Further amend said bill, Section 2.090, Page 6, Line 4, by deleting the number “41,900,000E” and inserting in lieu thereof the number “**11,000,000E**”; and

Further amend said bill, Section 2.140, Page 7, Line 4, by deleting the number “49,248,890E” and inserting in lieu thereof the number “**74,348,890E**”; and

Further amend said bill, Page 8, Section 2.170, Line 4, by deleting the number “3,750,000E” and inserting in lieu thereof the number “**8,000,000E**”; and

Further amend said bill, Page 8, Section 2.170, Line 4, by inserting immediately thereafter two new sections to read as follows:

“Section 2.171. To the Department of Elementary and Secondary Education

For grants to rural and low income schools

From Federal Funds (0 F.T.E.) ..... \$2,100,000

Section 2.172. To the Department of Elementary and Secondary Education

For language acquisition pursuant to Title III of the No Child Left Behind Act

From Federal Funds (0 F.T.E.) ..... \$1,700,000”; and adjust bill totals accordingly.

On motion of Representative Graham, **House Amendment No. 1** was adopted.

Representative Relford offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1102, Page 9, Section 2.195, Line 4, by deleting “\$596,583” and inserting in lieu thereof “**\$319,074**”; and

Further amend said bill, Page 5, Section 2.070, Line 6, by deleting “\$4,510,077” and inserting in lieu thereof the figure “**\$4,787,586**”.

On motion of Representative Relford, **House Amendment No. 2** was adopted.

Representative Shields offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1102, Page 2, Section 2.020, Lines 11 through 13, by deleting said lines and inserting in lieu thereof the following:

“Transportation; One Hundred Forty-Nine Million, Six Hundred Seventeen Thousand, Nine Hundred and Eighty-Two (\$149,617,982) for Special Education; Eleven Million Ninety-Six”; and

Further amend said section, Page 3, Line 36, by deleting the number “\$2,786,081,057” and inserting in lieu thereof the number “**\$2,801,042,855**”; and adjust bill totals accordingly.

Funds will come from \$50 million set-aside for Supplemental.

Representative Liese offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1102, Page 2, Section 2.020, Line 13, by deleting the number "134,656,184" and inserting in lieu thereof the number "**149,617,982**"; and

Further amend said section, Line 27, by deleting the number "\$2,017,234,613" and inserting in lieu thereof the number "**2,032,196,411**"; and

Further amend section by adjusting the totals accordingly.

The intent to fund this amendment is to increase House Bill No. 1114, Section 14.005.

**HCS HB 1102, as amended, with House Substitute Amendment No. 1 for House Amendment No. 3 and House Amendment No. 3, pending,** was laid over.

**HCS HB 1114**, relating to appropriations, was taken up by Representative Green (73).

Representative Liese offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1114, Page 1, Section 14.005, Line 5, by deleting the number "\$75,000,000" and inserting in lieu thereof "**89,961,798.**"

The intent of this funding is to be used for special education programs in House Bill No. 1102, Section 2.020, Line 13.

Representative Liese moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 082

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Lawson	Liese	Lowe	Mays 50
McKenna	Monaco	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 079

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Gratz
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 001

Koller

VACANCIES: 001

**HCS HB 1114** was laid over.

**HCS HB 1102, as amended, with House Substitute Amendment No. 1 for House Amendment No. 3 and House Amendment No. 3, pending**, was again taken up by Representative Graham.

Pursuant to HCS HR 933, **House Substitute Amendment No. 1 for House Amendment No. 3** is out of order.

On motion of Representative Shields, **House Amendment No. 3** was adopted by the following vote:

AYES: 122

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Boucher	Bray 84	Britt
Burcham	Burton	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Fraser	Froelker	Gambaro
Gaskill	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	King	Lawson	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer

Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Miller	Monaco	Moore	Myers
Naeger	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Townley	Vogel	Wagner
Walker	Ward	Whorton	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 031

Barnitz	Bland	Bonner	Bowman	Brooks
Campbell	Crump	Curls	Farnen	Foley
Franklin	George	Graham	Green 73	Hagan-Harrell
Harlan	Kelly 36	Lowe	Mays 50	Merideth
Murphy	O'Connor	Scheve	Thompson	Treadway
Troupe	Van Zandt	Villa	Walton	Williams
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Boykins	Byrd	Henderson	Johnson 61
Koller	Nordwald	O'Toole	Reid	

VACANCIES: 001

**HCS HB 1102, as amended**, was laid over.

On motion of Representative Foley, the House recessed until 2:00 p.m.

## MEMORIAL SERVICE

House of Representatives  
Memorial Service  
April 3, 2002

**Presentation of Colors**  
Missouri Army National Guard Color Guard

**The National Anthem**  
General Assembly Gospel Singers

Hon. Rex Barnett  
Hon. Gary Marble  
Hon. Larry Rohrbach

Hon. Carson Ross  
Hon. Delbert Scott

**Prayer**  
Hon. Pat Kelley

**Reading of Memorial List**  
Hon. Timothy P. Green

**Goin' Home**

From New World Symphony arranged by Anton Dvorak  
Sandra Reeves (former legislator)  
Nathalee Cross, accompanist

**Memorial Address**

Hon. Jim Kreider, Speaker of the House

**Lord's Prayer**

arranged by Malotte  
Betty Hearnese (former legislator)

**Closing Prayer**

Steve Woodall (son of the late J. Dan Woodall, former legislator)

**Taps**

Jerry Ford (former legislator)

**Retirement of Colors**

**In Memorium**

		<b>Years Served</b>
G.M. Allen	Cass County	1977-86
George Allen	Howard County	1961-62
Paul Amick	Maries County	1957-58
William Antoine	Jackson County	1967-72
Francis "Bud" Barnes	St. Louis County	1977-92
John C. Baumann	Johnson County	1955-56
Ronald Belt	Macon County	1959-74
Frank Bild	St. Louis	1963-64
		1967-72
John Blassie, Sr.	St. Louis City	1967-78
E.A. Brewer	Bates County	1969-70
Stephen Burns	St. Louis	1967-72
Luna Butler	Gentry County	1945-52
		1955-60
		1963-65
E.J. "Lucky" Cantrell	St. Louis County	1959-72
		1979-90
Mel Carnahan	Phelps County	1963-66
Paula Carter	St. Louis City	1987-2000
Frank Carter	Wright County	1957-62
Thomas Carter	Wright County	1965-72
William Casey	Washington County	1959-60
		1963-72
Homer Clements	Jackson County	1963-66
Robert W. Crawford	Vernon County	1955-58
James Crouch	Taney County	1955-60
Fletcher Daniels	Kansas City	1984-99
Vernon Day	Butler County	1959-60
Marvin Dinger	Iron County	1965-72
Edwin Dirck	St. Louis County	1973-76
Lynn Ewing	Vernon County	1959-64
Floyd Gibson	Jackson County	1941-46

Thomas D. Graham	Cole County	1951-72
Edward "Doc" Groves	Greene County	1967-68
Ray Hamlett	Audrain County	1975-90
Bill Hand	St. Louis County	1986-98
Ralph Hedrick	Bates County	1971-72
		1977-88
Isaac Henson	Wayne County	1955-66
William Hibler, Jr.	Chariton County	1957-72
George K. Hoblitzelle	St. Louis County	1973-88
Mark Holloway	St. Louis County	1991-92
A. Clifford Jones	St. Louis	1951-58
Ralph Jones, Jr.	St. Louis County	1973-78
R.J. "Bus" King	Franklin/St. Louis Counties	1943-48
		1959-72
Charles Madison, Sr.	Jackson County	1941-42
Donald L. Manford	Jackson County	1967-68
Richard Martin	Buchanan County	1971-76
Roscoe McCrary	St. Louis City	1975-78
John Glennon McKenna	St. Louis City	1941-42
Elmer Meyer	St. Louis County	1967-68
Frank Mickelson	Cass County	1953-55
		1963-72
		1975-76
J.B. Mitchell	Cedar County	1973-78
Agnes Moore	Ste. Genevieve	1957-60
Annette Morgan	Kansas City	1981-96
Samuel Murphy	St. Louis	1951-58
Daniel J. O'Toole	St. Louis County	1973-76
Franklin Payne	St. Louis City	1967-70
Raymond Quarles	St. Louis	1973-78
Paul Bernard Richards	Holt County	1955-62
Nathaniel "Nat" Rivers	St. Louis City	1969-84
Gerald Roderick	Clay County	1973-78
Reynolds "Pete" Rodgers	Jackson County	1967-68
Ruben Schapeler	Bates County	1963-68
Maurice Schechter	St. Louis City	1935-40
Jim Sears	Scotland County	1995-96
Sue Shear	St. Louis County	1973-98
Don Silcott	Buchanan County	1977-78
Reuben "Doc" Simcoe	Callaway County	1951-66
James L. Smith	Saline County	1975-84
Melvin Smith	Harrison County	1977-86
E. Richard Southern	Monroe County	1961-66
George Spencer	Boone County	1947-52
Evelyn Stone	St. Louis City	1957-60
Keith Stotts	Lawrence County	1965-82
Jim Strong	Cole County	1973-82
Lee Sutton	Monroe County	1955-60
Stanley Thomas	Clay County	1965-82
J. Corley Thompson, Jr.	St. Louis County	1967-76
John Twitty	Phelps County	1973-74
Eddie Leroy Tyus	St. Louis City	1951-60
Steve Vossmeier	St. Louis City	1973-82
Robert Walker	St. Louis City	1977-78



Ralph Wigfield	Livingston County	1955-66
Gary Wiggins	Macon County	1993-2001
Paul Williams	Pike County	1963-66
Edmond Williams	McDonald County	1977-86
Herman Winkelman	St. Louis	1969-70
Donald Winslow	Jackson County	1973-74
J. Dan Woodall	Greene County	1983-90
Rex Wyrick	Miller County	1983-90

#### **Family Escorts**

Hon. Rex Rector	Hon. Patrick Naeger
Hon. Christopher Shoemaker	Hon. Marsha Campbell
Hon. Richard Byrd	Hon. Jerry King
Hon. Daniel Hegeman	Hon. Derio Gambaro
Hon. Ronnie Miller	Hon. James Seigfreid
Hon. Van Kelly	Hon. Jim Whorton
Hon. Wayne Crump	Hon. Vicky Riback Wilson
Hon. Melba Curls	Hon. Linda Bartelsmeyer
Hon. James Foley	Hon. Carl Vogel
Hon. Bill Gratz	Hon. Thomas Villa
Hon. B.J. Marsh	Hon. Bill Ransdall
Hon. William Linton	Hon. Sam Gaskill
Hon. Martin “Bubs” Hohulin	Hon. Norma Champion
Hon. Barbara Fraser	Hon. Blaine Luetkemeyer
Hon. Jim Murphy	Hon. Wes Shoemyer
Hon. Ralph Monaco	Hon. John Hickey
Hon. Ryan McKenna	Hon. Sam Berkowitz
Hon. Danielle Moore	

#### **Staff Acknowledgements**

Hon. Timothy P. Green  
Judy Vanderfeltz  
Karen Jacquin  
Nancy Luehrman  
Angie Thessen  
Shelly St. Clair

#### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

#### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1101	-	Representative Gambaro, et al
House Resolution No. 1102	-	Representative Ridgeway
House Resolution No. 1103	-	Representatives Skaggs and Willoughby
House Resolution No. 1104	-	Representative Skaggs
House Resolution No. 1105	-	Representative Ward

## HOUSE RESOLUTION

**House Resolution No. 1000** was taken up by Representative Champion and read.

### HOUSE RESOLUTION NO. 1000

WHEREAS, the members of the Missouri House of Representatives cheerfully pause to recognize a college athletic team which consistently sought to fulfill its potential throughout its 2001-2002 season; and

WHEREAS, the Evangel University Men's Basketball Team proudly finished the season as NAIA II Champions during competition on March 12, 2002, in the Keeter Gymnasium at the College of the Ozarks in Point Lookout, Missouri; and

WHEREAS, Head Coach Steve Jenkins, Assistant Coach Steve Shepherd, and Graduate Assistant Steve Gause did their very best to guide, teach, and inspire the Crusaders as they fought their way to compile an impressive record of thirty-five wins and only one loss; and

WHEREAS, ranked Number One in NAIA II all season, the Crusaders have also enjoyed recognition by winning the Heart of America Athletic Conference with a twenty-zero record and the Heart of America Athletic Conference Tournament; and by setting a new NAIA II record with the most consecutive wins (27), and most consecutive wins in a season (27); and

WHEREAS, few athletes possess the talent displayed by Crusaders Wes Murphy, Andy Truesdale, John Spears, Grant Curtis, Jason Stubbs, Luke Cooper, Bert Capel, Anthony Moore, Daniel Cutbirth, Dimitrius Breedlove, Judd Broxson, Chad Sleeper, Bryan Osterloh, Preston Ingram, and Luke Arthur:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously in commending and applauding the coaches and players of the Evangel University Men's Basketball Team for their admirable efforts in achieving this success; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Evangel University Men's Basketball Team.

## PERFECTION OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 1102, as amended**, relating to appropriations, was again taken up by Representative Graham.

Representative Cunningham offered **House Amendment No. 4**.

### *House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1102, Page 7, Section 2.125, Line 4, by deleting the number "4,097,554" and inserting in lieu thereof the number "**9,197,554**"; and

Further amend said Section, Line 8, by deleting the number "12,284,722" and inserting in lieu thereof the number "**17,384,722**"; and adjust bill totals accordingly.

**HCS HB 1102, as amended, with House Amendment No. 4, pending**, was laid over.

**HCS HB 1104**, relating to appropriations, was taken up by Representative Bonner.

Representative Cunningham offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1104, Page 14, Section 4.180, Line 7, by deleting the number "39,705,892" and inserting in lieu thereof the number "**34,605,892**"; and adjust the bill totals accordingly.

The intent is to use this funding for test development distribution in HCS for House Bill 1102, Section 2.125, Line 4.

Representative Cunningham moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 079

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Boatright	Boucher
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Davis	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hosmer	Hunter	Jetton	Jolly	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shoemaker	St. Onge	Surface
Townley	Van Zandt	Whorton	Wright	

NOES: 080

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Bowman	Boykins	Bray 84	Britt
Brooks	Carnahan	Clayton	Copenhaver	Crump
Curls	Daus	Farnen	Foley	Franklin
Fraser	Gambara	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hegeman	Hickey	Hollingsworth
Holt	Hoppe	Johnson 90	Jones	Kelly 27
Kelly 36	Koller	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	Murphy
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 002

Berkstresser                      Lawson

VACANCIES: 001

**HCS HB 1104** was laid over.

**HCS HB 1102, as amended, with House Amendment No. 4, pending**, was again taken up by Representative Graham.

Pursuant to HCS HR 933, **House Amendment No. 4** is out of order.

Representative Davis offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1102, Page 7, Section 2.125, Line 4, by deleting the number "4,097,554" and inserting in lieu thereof the number "**11,814,611**"; and

Further amend said section, Line 8, by deleting the number "12,284,722" and inserting in lieu thereof the number "**20,001,779**"; and adjust bill totals accordingly.

**HCS HB 1102, as amended, with House Amendment No. 5, pending**, was laid over.

**HCS HB 1114**, was again taken up by Representative Green (73).

Representative Davis offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1114, Page 1, Section 14.005, by adding "**7,717,057**" to said section and adjusting number and language accordingly.

The intent of this amendment is to restore house budget reduction Test Development Distribution (MAP testing), Section 2.125.

Representative Davis moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Abel	Barry 100	Berkowitz	Bland	Bonner
Boucher	Bowman	Bray 84	Brooks	Campbell
Carnahan	Copenhaver	Crump	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Green 15	Green 73	Harding
Harlan	Hickey	Hilgemann	Holt	Hoppe
Hosmer	Johnson 90	Jolly	Kelly 27	Koller
Lawson	Lowe	Luetkenhaus	Mays 50	Murphy

O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Shelton	Shoemyer	Smith	Treadway	Troupe
Van Zandt	Villa	Wagner	Walton	Williams
Willoughby	Wilson 25	Mr. Speaker		

NOES: 094

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Boatright	Boykins
Britt	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Curls	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Gratz	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hollingsworth
Hunter	Jetton	Johnson 61	Jones	Kelley 47
Kelly 144	Kelly 36	King	Legan	Liese
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Moore	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Selby	Shields	Shoemaker	Skaggs
St. Onge	Surface	Thompson	Townley	Vogel
Ward	Whorton	Wilson 42	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Berkstresser	Clayton	Monaco	Walker
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VACANCIES: 001

**HCS HB 1114** was laid over.

**HCS HB 1102, as amended, with House Amendment No. 5, pending**, was again taken up by Representative Graham.

Pursuant to HCS HR 933, **House Amendment No. 5** is out of order.

Representative Carnahan offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1102, Page 9, Section 2.180, by inserting immediately thereafter one new section to read as follows:

“Section 2.185. To the Department of Elementary and Secondary  
     Education  
     For character education initiatives  
 From General Revenue Fund . . . . . \$750,000”

This amendment restores the House Appropriations Committee Cut.

**HCS HB 1102, as amended, with House Amendment No. 6, pending,** was laid over.

**HCS HB 1114,** was again taken up by Representative Green (73).

Representative Carnahan offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1114, Page 1, Section 14.005, by adding “**\$750,000**” to the total; and adjusting the number and language accordingly.

Representative Kelley (47) offered **House Substitute Amendment No. 1 for House Amendment No. 3** which pursuant to HCS HR 933 also substitutes for **House Amendment No. 6 to HCS HB 1102.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1102, Page 9, Section 2.180, by inserting immediately thereafter one new section to read as follows:

“Section 2.185. To the Department of Elementary and Secondary  
Education  
For character education initiatives  
From General Revenue Fund ..... \$750,000”

This amendment restores the House Appropriations Committee Cut.

The \$750,000 will come from the money set aside for supplemental.

Representative Kelley (47) moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Burcham	Byrd	Cierpiot	Crawford
Crowell	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Holand	Jetton	Kelley 47	Kelly 144	King
Linton	Lograsso	Long	Luetkemeyer	Marble
May 149	Mayer	Miller	Moore	Myers
Naeger	Nordwald	Ostmann	Paone	Phillips
Portwood	Purgason	Quinn	Rector	Reinhart

Ridgeway	Roark	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Townley
Vogel	Wright			

NOES: 089

Abel	Barnitz	Barry 100	Berkowitz	Black
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Cooper	Copenhaver	Crump
Curls	Daus	Farnen	Foley	Franklin
Fraser	Gambaro	George	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Legan
Liese	Lowe	Luetkenhaus	Marsh	Mays 50
Merideth	Monaco	Murphy	O'Connor	O'Toole
Overschmidt	Ransdall	Reid	Relford	Reynolds
Richardson	Rizzo	Robirds	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Troupe	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Berkstresser	Bland	Clayton	Graham
Harlan	Hohulin	Hunter	McKenna	Surface
Treadway				

VACANCIES: 001

Representative Carnahan moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Abel	Baker	Barry 100	Boucher	Bray 84
Britt	Campbell	Carnahan	Clayton	Copenhaver
Curls	Davis	Farnen	Franklin	Fraser
Gambaro	Green 15	Harding	Hilgemann	Hollingsworth
Hosmer	Hunter	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Monaco
Murphy	Paone	Ransdall	Scheve	Shelton
Shoemyer	Skaggs	Smith	Troupe	Van Zandt
Wagner	Walton	Willoughby	Wilson 25	Mr. Speaker

NOES: 109

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boykins	Brooks	Burcham
Burton	Byrd	Champion	Cooper	Crawford

Crowell	Crump	Cunningham	Daus	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
George	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holand
Holt	Hoppe	Jetton	Johnson 61	Kelley 47
Kelly 144	King	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	St. Onge	Surface	Thompson	Townley
Treadway	Villa	Vogel	Walker	Ward
Whorton	Williams	Wilson 42	Wright	

PRESENT: 001

Graham

ABSENT WITH LEAVE: 007

Berkstresser	Bowman	Cierpiot	Foley	Harlan
McKenna	Quinn			

VACANCIES: 001

**HCS HB 1114** was laid over.

**HCS HB 1102, as amended, with House Amendment No. 6, pending**, was again taken up by Representative Graham.

Pursuant to HCS HR 933, **House Amendment No. 6** is out of order.

Representative Gaskill offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1102, Page 6, Section 2.100, Line 3, by deleting the number "331,319" and inserting in lieu thereof the number "**631,319**"; and

Further amend said section, Line 5, by deleting the number "489,475" and inserting in lieu thereof the number "**789,475**"; and

Further amend said bill, Section 2.020, Lines 17 through 19, by deleting said lines and inserting in lieu thereof the following:

"Early Childhood Special Education; Twenty-Four Million, Eight Hundred Seventy Thousand, One Hundred Four Dollars (\$24,870,104) for Gifted Education; Thirty-Eight Million, Four"; and adjust section total line accordingly; and

Further amend said bill, Page 9, Section 2.180, by adding immediately thereafter one new section to read as follows:



“Section 2.185. To the Department of Elementary and Secondary Education  
For Character Education Initiatives  
From General Revenue Fund . . . . . \$100,000”; and adjust bill totals accordingly.

**HCS HB 1102, as amended, with House Amendment No. 7, pending,** was laid over.

**HCS HB 1104,** was again taken up by Representative Bonner.

Representative Gaskill offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1104, Page 14, Section 4.180, Line 7, by deleting the number “39,705,892E” and inserting in lieu thereof the number “**38,605,892E**”; and

Further amend said section, Line 8, by deleting the number “46,607,616” and inserting in lieu thereof the number “**45,507,616**”; and adjust bill totals accordingly.

The intent of this amendment is to restore cuts to House Committee Substitute for House Bill No. 1102, Section 2.100, regarding Scholars and Fine Arts Academies, Section 2.020, regarding the gifted program, and one new Section 2.185, regarding Character Plus.

Representative Portwood offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1104, Page 14, Section 4.180, Line 7, by deleting the number "39,705,892E" and inserting in lieu thereof the number "**38,705,892E**"; and

Further amend said section, Line 8, by deleting the number "46,607,616" and inserting in lieu thereof the number "**45,607,616**"; and adjust bill totals accordingly.

The intent of this amendment is to restore house appropriation committee reduction in House Committee Substitute for House Bill No. 1102, Section 2.100, regarding scholars academies and Section 2.020, regarding Gifted Education.

On motion of Representative Portwood, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

**HCS HB 1104, as amended,** was laid over.

**HCS HB 1102, as amended, with House Amendment No. 7, pending,** was again taken up by Representative Graham.

Representative Portwood offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1*  
for  
*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1102, Page 2, Section 2.020, Line 19, by deleting the number "24,170,104" and inserting in lieu thereof the number "**24,870,104**"; and adjust numerical wording and section total accordingly; and

Further amend said bill, Section 2.100, Page 6, Line 3, by deleting the number "331,319" and inserting in lieu thereof the number "**631,319**"; and

Further amend said section, Line 5, by deleting the number "489,475" and inserting in lieu thereof the number "**789,475**"; and adjust bill totals accordingly.

On motion of Representative Portwood, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted.

On motion of Representative Graham, **HCS HB 1102, as amended**, was adopted.

On motion of Representative Graham, **HCS HB 1102, as amended**, was ordered perfected and printed by the following vote:

AYES: 142

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 011

Ballard	Bartelsmeyer	Byrd	Griesheimer	Hanaway
Hohulin	Hunter	Linton	Nordwald	Roark
Townley				

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Berkstresser	Bray 84	Foley	Holand
Koller	Naeger	Scheve	Van Zandt	

VACANCIES: 001

**HCS HB 1103**, relating to appropriations, was taken up by Representative Graham.

Representative Graham offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1103, Page 1, Section 3.005, Line 4, by deleting the number "500,000" and inserting in lieu thereof the number "**890,891**"; and

Further amend said section, Page 2, Line 11, by deleting the number "1,045,140" and inserting in lieu thereof the number "**1,436,031**"; and adjust bill totals accordingly.

Speaker Pro Tem Abel resumed the Chair.

**HCS HB 1103, with House Amendment No. 1, pending**, was laid over.

**HCS HB 1104, as amended**, was again taken up by Representative Bonner.

Representative Graham offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1104, Page 14, Section 4.180, Line 7, by deleting the number "39,705,892E" and inserting in lieu thereof the number "**39,315,001E**"; and

Further amend said section, Line 8, by deleting the number "46,607,616" and inserting in lieu thereof the number "**46,216,725**"; and adjust bill totals accordingly.

The intent of this amendment is to restore house budget reduction in House Bill 1103, Section 3.005 regarding Coordination administration.

On motion of Representative Graham, **House Amendment No. 3** was adopted.

**HCS HB 1104, as amended**, was laid over.

**HCS HB 1103, with House Amendment No. 1, pending**, was again taken up by Representative Graham.

On motion of Representative Graham, **House Amendment No. 1** was adopted.

Representative O'Connor offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1103, Page 10, Section 3.200, Line 4, by deleting the number "377,160,320" and inserting in lieu thereof the number "**377,039,358**"; and adjust bill totals accordingly.

On motion of Representative O'Connor, **House Amendment No. 2** was adopted by the following vote:

AYES: 091

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Bowman	Brooks
Burcham	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Daus	Dempsey
Dolan	Enz	Froelker	Gaskill	Gratz
Griesheimer	Hampton	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Hosmer
Hunter	Jetton	Jolly	Kelley 47	Kelly 144
King	Legan	Liese	Linton	Lograsso
Luetkemeyer	Luetkenhaus	Marble	Mayer	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Surface	Townley
Treadway	Vogel	Wagner	Whorton	Willoughby
Wright				

NOES: 053

Baker	Barry 100	Boucher	Bray 84	Britt
Burton	Campbell	Carnahan	Clayton	Copenhaver
Curls	Davis	Fares	Franklin	Fraser
Gambaro	George	Green 15	Green 73	Hagan-Harrell
Harding	Harlan	Haywood	Hilgemann	Hollingsworth
Holt	Hoppe	Jones	Kelly 27	Kelly 36
Koller	Lawson	Lowe	May 149	Mays 50
McKenna	Merideth	Murphy	Ostmann	Ransdall
Reid	Relford	Rizzo	Scheve	Seigfreid
Smith	Van Zandt	Villa	Walker	Walton
Williams	Wilson 25	Wilson 42		

PRESENT: 011

Abel	Boykins	Crump	Farnen	Foley
Johnson 61	Johnson 90	Marsh	Reynolds	Thompson
Ward				

ABSENT WITH LEAVE: 007

Graham	Holand	Long	Monaco	St. Onge
Troupe	Mr. Speaker			

VACANCIES: 001

Representative Wright offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1103, Page 10, Section 3.200, Line 4, by deleting [\$377,160,320] and inserting the following: “**\$377,060,320**”; and

Further amend the bill totals accordingly.

Representative Crawford offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

**House Substitute Amendment No. 1 for House Amendment No. 3** was withdrawn.

On motion of Representative Wright, **House Amendment No. 3** was adopted by the following vote:

AYES: 102

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Britt	Brooks
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Crump	Cunningham
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Froelker	Gaskill	Gratz	Griesheimer
Hampton	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hosmer
Hunter	Jetton	Johnson 61	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	King	Lawson
Legan	Liese	Linton	Lograsso	Luetkemeyer
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Surface	Townley
Treadway	Vogel	Wagner	Whorton	Willoughby
Wilson 42	Wright			

NOES: 029

Bray 84	Carnahan	Clayton	Daus	Foley
Franklin	Fraser	Gambaro	George	Green 73
Hagan-Harrell	Harding	Harlan	Haywood	Hickey
Hollingsworth	Kelly 36	Lowe	Mays 50	McKenna
O'Toole	Paone	Rizzo	Van Zandt	Villa
Walker	Walton	Williams	Wilson 25	

PRESENT: 006

Abel	Curls	Johnson 90	Skaggs	Thompson
Ward				

ABSENT WITH LEAVE: 025

Baker	Ballard	Berkowitz	Bowman	Boykins
Campbell	Copenhaver	Graham	Green 15	Hilgemann
Hoppe	Koller	Long	Luetkenhaus	Marble
Merideth	Monaco	Naeger	O'Connor	Overschmidt
Richardson	Scheve	Shelton	Troupe	Mr. Speaker

VACANCIES: 001

Representative Purgason requested a verification of the roll call on the motion to adopt **House Amendment No. 3.**

Representative Bearden offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1103, Page 6, Section 3.140, Line 4, by deleting "\$89,222,333" and inserting in lieu thereof "**\$89,372,333**"; and adjusting bill totals accordingly.

Source of funding is money deleted from University of Missouri system.

On motion of Representative Bearden, **House Amendment No. 4** was adopted.

**HCS HB 1103, as amended**, was laid over.

On motion of Representative Crump, the House recessed until 7:15 p.m.

**EVENING SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

**PERFECTION OF HOUSE BILLS - APPROPRIATIONS**

**HCS HB 1103, as amended**, relating to appropriations, was again taken up by Representative Graham.

Representative Hohulin offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1103, Page 10, Section 3.200, Line 4, by deleting \$5,000,000 from the figure on said line; and

Further amend said bill by changing the totals accordingly.

Representative Relford offered **House Substitute Amendment No. 1 for House Amendment No. 5.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1103, Page 10, Section 3.200, Line 4, by deleting \$500,000 from the figure on said line; and

Further amend said bill by changing the totals accordingly.

On motion of Representative Relford, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted by the following vote:

AYES: 101

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Burcham
Burton	Byrd	Cierpiot	Cooper	Crawford
Crowell	Crump	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Gratz
Griesheimer	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hosmer	Hunter	Jetton	Jones	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Townley	Treadway	Vogel
Wagner	Walker	Walton	Whorton	Willoughby
Wright				

NOES: 040

Bland	Bowman	Bray 84	Britt	Brooks
Campbell	Clayton	Curls	Daus	Davis
Farnen	Foley	Fraser	Gambaro	George
Graham	Green 15	Hagan-Harrell	Harding	Harlan
Hickey	Hilgemann	Holt	Johnson 61	Kelly 27

Lowe	Mays 50	Monaco	O'Connor	O'Toole
Overschmidt	Paone	Reynolds	Rizzo	Thompson
Troupe	Villa	Williams	Wilson 25	Mr. Speaker

PRESENT: 008

Abel	Boykins	Copenhaver	Green 73	Johnson 90
McKenna	Skaggs	Ward		

ABSENT WITH LEAVE: 013

Baker	Carnahan	Champion	Franklin	Hollingsworth
Hoppe	Jolly	Kelley 47	Long	Richardson
Scheve	Van Zandt	Wilson 42		

VACANCIES: 001

### Representative Purgason offered **House Amendment No. 6.**

#### *House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1103, Page 7, Section 3.150, Line 3, by deleting the number "4,689,475" and inserting in lieu thereof the number "**4,898,475**"; and

Further amend said bill, Section 3.155, Line 3, by deleting the number "50,437,422" and inserting in lieu thereof the number "**50,646,422**"; and

Further amend said bill, Section 3.160, Line 3, by deleting the number "40,722,872" and inserting in lieu thereof the number "**40,931,872**"; and

Further amend said bill, Section 3.165, Line 3, by deleting the number "72,440,544" and inserting in lieu thereof the number "**72,649,544**"; and

Further amend said bill, Section 3.170, Line 3, by deleting the number "15,656,409" and inserting in lieu thereof the number "**15,865,409**"; and

Further amend said bill, Section 3.175, Line 3, by deleting the number "38,373,114" and inserting in lieu thereof the number "**38,582,114**"; and

Further amend said bill, Section 3.180, Line 3, by deleting the number "26,354,372" and inserting in lieu thereof the number "**26,563,372**"; and

Further amend said bill, Section 3.185, Line 3, by deleting the number "18,008,280" and inserting in lieu thereof the number "**18,217,280**"; and

Further amend said bill, Section 3.190, Line 3, by deleting the number "18,514,363" and inserting in lieu thereof the number "**18,723,363**"; and

Further amend said bill, Section 3.195, Line 3, by deleting the number "9,492,620" and inserting in lieu thereof the number "**9,701,620**"; and

Further amend said bill, Section 3.200, Line 4, by deleting the number "377,160,320" and inserting in lieu thereof the number "**377,369,320**"; and

Adjust all amended section and bill totals accordingly.



Speaker Pro Tem Abel resumed the Chair.

**HCS HB 1103, as amended, with House Amendment No. 6, pending**, was laid over.

**HCS HB 1111**, relating to appropriations, was taken up by Representative Troupe.

Representative Purgason offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1111, Page 7, Section 11.005, Line 154, by deleting the number "4,265,716" and inserting in lieu thereof the number "**4,235,716**"; and

Further amend said section, Line 171, by deleting the number "375,478,129" and inserting in lieu thereof the number "**375,448,129**"; and

Further amend said bill, Page 22, Section 11.210, Line 4, by deleting the number "2,750,000" and inserting in lieu thereof the number "**2,500,000**"; and

Further amend said bill, Page 23, Section 11.300, Line 5, by deleting the number "6,440,000" and inserting in lieu thereof the number "**5,796,000**"; and

Further amend said section, Line 7, by deleting the number "6,940,000" and inserting in lieu thereof the number "**6,296,000**"; and

Further amend said bill and page, Section 11.400, Line 5, by deleting the number "750,000" and inserting in lieu thereof the number "**500,000**"; and

Further amend said section, Line 7, by deleting the number "1,500,000" and inserting in lieu thereof the number "**1,250,000**"; and

Further amend said bill, Page 28, Section 11.462, by deleting said section in its entirety and adjusting bill totals accordingly.

For the purpose of funding the Missouri Teacher Shortage Loan program.

Representative Purgason moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 047

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Burcham	Byrd	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Enz	Froelker	Gaskill
Griesheimer	Henderson	Hendrickson	Hohulin	Holand
Jetton	King	Legan	Luetkemeyer	Marble
May 149	Miller	Myers	Naeger	Nordwald
Phillips	Purgason	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Schwab	Scott
Secrest	St. Onge	Surface	Townley	Vogel
Whorton	Wright			

NOES: 104

Abel	Barnett	Barnitz	Barry 100	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Champion	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Hollingsworth	Holt
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Luetkenhaus	Marsh
Mayer	Mays 50	McKenna	Merideth	Monaco
Moore	Murphy	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Reid	Relford	Reynolds	Rizzo	Ross
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Villa	Wagner	Walker	Walton
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 001

Ward

ABSENT WITH LEAVE: 010

Baker	Carnahan	Hoppe	Kelly 144	Linton
Lograsso	Long	Scheve	Van Zandt	Williams

VACANCIES: 001

**HCS HB 1111** was laid over.

**HCS HB 1103, as amended, with House Amendment No. 6, pending**, was again taken up by Representative Graham.

Pursuant to HCS HR 933, **House Amendment No. 6** is out of order.

On motion of Representative Graham, **HCS HB 1103, as amended**, was adopted.

On motion of Representative Graham, **HCS HB 1103, as amended**, was ordered perfected and printed by the following vote:

AYES: 140

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell

Crump	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Rector	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 015

Bartelsmeyer	Boatright	Byrd	Cunningham	Froelker
Griesheimer	Hanaway	Hohulin	Hunter	Luetkemeyer
Nordwald	Reid	Richardson	Roark	Townley

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Hoppe	Linton	Long	Purgason
Ransdall	Scheve			

VACANCIES: 001

**HCS HB 1104, as amended**, relating to appropriations, was taken up by Representative Bray.

Representative Van Zandt offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1104, Page 15, Section 4.205, Line 18, by deleting the number "902,187,408" and inserting in lieu thereof the number "**902,230,808**"; and

Further amend said section, Line 19, by deleting the number "978,276,237" and inserting in lieu thereof the number "**978,319,637**"; and

Further amend said section, Page 16, Line 29, by deleting the number "1,384,855,361" and inserting in lieu thereof the number "**1,384,898,761**"; and

Further amend said bill, Section 4.215, Line 10, by deleting the number "118,943,290" and inserting in lieu thereof the number "**118,908,290**"; and

Further amend said section, Line 14, by deleting the number "42,816,986" and inserting in lieu thereof the number "**42,808,586**"; and

Further amend said section by deleting Line 17 and inserting in lieu thereof the following:

"Total (Not to exceed 3,585.75 F.T.E.) . . . . . \$272,349,246".

On motion of Representative Van Zandt, **House Amendment No. 4** was adopted.

Representative Kelley (47) offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1104, Page 17, Section 4.180, Lines 1 through 8, by deleting said section and adding one new section.

“Section 4.180 To the Department of Revenue  
For the State Lottery Commission

For any and all expenditures, including operating maintenance and repair and minor renovations, necessary for the purpose of operating a state lottery, except that no money shall be authorized to implement or operate the keno type game known as Quick Draw.

Personal Service . . . . .	6,901,724
Expense and Equipment . . . . .	<u>36,925,092</u>
From Lottery Enterprise Fund . . . . .	43,826,816

(Not to exceed 178.50 F.T.E.).”

Representative Hollingsworth raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Speaker Kreider resumed the Chair.

Representative Kelley (47) moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Holt	Hosmer	Hunter
Jetton	Jolly	Kelley 47	Kelly 144	King
Legan	Lograsso	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart

Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
Surface	Townley	Vogel	Wright	

NOES: 077

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Johnson 61	Johnson 90	Jones
Kelly 27	Liese	Lowe	Marsh	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Ransdall	Relford
Reynolds	Rizzo	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 002

Harding                      Kelly 36

ABSENT WITH LEAVE: 009

Berkstresser	Hoppe	Koller	Lawson	Linton
Long	Scheve	St. Onge	Van Zandt	

VACANCIES: 001

On motion of Representative Bray, **HCS HB 1104, as amended**, was adopted.

On motion of Representative Bray, **HCS HB 1104, as amended**, was ordered perfected and printed by the following vote:

AYES: 116

Abel	Barnett	Barnitz	Barry 100	Berkowitz
Black	Bland	Bonner	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	Koller	Lawson	Legan
Liese	Lograsso	Lowe	Luetkenhaus	Marsh
May 149	Mays 50	McKenna	Merideth	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Portwood

Ransdall	Rector	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 037

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Boatright	Byrd	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Froelker	Gaskill	Hanaway	Hendrickson	Hohulin
Hunter	Jetton	Johnson 61	Kelley 47	King
Luetkemeyer	Marble	Mayer	Miller	Phillips
Purgason	Quinn	Reinhart	Roark	Ross
Scott	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Boucher	Hoppe	Linton	Long
Monaco	Scheve	St. Onge	Vogel	

VACANCIES: 001

**HCS HB 1105**, relating to appropriations, was taken up by Representative Bonner.

Representative Villa offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1105, Page 24, by adding the following new section:

"Section 5.442. To the Office of Administration

For grants to public television stations as provided in Section 37.200 through 37.230, RSMo

From General Revenue Fund . . . . . \$93,233".

**HCS HB 1105, with House Amendment No. 1, pending**, was laid over.

**HCS HB 1110**, relating to appropriations, was taken up by Representative Riback Wilson (25).

Representative Villa offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1110, Page 5, Section 10.115, Line 4, by deleting the number "23,410,679" and inserting in lieu thereof the number "**23,317,446**"; and adjust bill totals accordingly.

The intent of this amendment is for funding public television grants.

Representative Riback Wilson (25) offered **House Substitute Amendment No. 1 for House Amendment No. 1** which, pursuant to HCS HR 933, also substitutes for **House Amendment No. 1 to HCS HB 1105**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1105, Page 11, Section 5.090, Line 9, by inserting one new section to read as follows:

"Section 5.092. There is transferred out of the State Treasury chargeable to General Revenue Fund, One Hundred Thousand Dollars (\$100,000) to the Public Television grants  
From General Revenue Fund ..... \$100,000".

Representative Riback Wilson (25) moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Villa moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

**HCS HB 1110** was laid over.

**HCS HB 1105, with House Amendment No. 1, pending**, was again taken up by Representative Bonner.

Pursuant to HCS HR 933, **House Amendment No. 1** is out of order.

Representative Bonner offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1105, Page 1, Section 5.005, Line 5, by deleting the number "39,790,369" and inserting in lieu thereof the number "**41,074,669**"; and

Further amend said section by deleting Line 6 and inserting in lieu thereof the following:

"Total (Not to exceed 690.70 F.T.E. .... \$64,911,624"; and adjust bill totals accordingly.

Amendment restores funding from the Office of Administration Revolving Administrative Trust Fund.

On motion of Representative Bonner, **House Amendment No. 2** was adopted.

Representative Shields offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1105, Page 11, Section 5.090, Line 9, by inserting one new section to read as follows:

“Section 5.092. There is transferred out of state treasury chargeable to General Revenue Fund,  
Ninety-Five Thousand (\$95,000) to the Public Television grants  
From General Revenue Fund . . . . . \$95,000”.

On motion of Representative Shields, **House Amendment No. 3** was adopted.

Representative Crump offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1105, Page 12, Section 5.105, Line 6, by inserting one new section to read as follows:

"Section 5.112. To the Office of Administration

For a statewide pay plan	
From General Revenue Fund . . . . .	\$20,147,544
From Federal Funds . . . . .	6,505,164
From Other Funds . . . . .	<u>10,400,052</u>
Total (0 F.T.E.) . . . . .	\$37,052,760"; and

Further amend said bill, Page 12, Section 5.115, by deleting Lines 4 through 7 and inserting in lieu thereof the following:

"From General Revenue Fund . . . . .	\$74,525,287
From Federal Funds . . . . .	27,796,645
From Other Sources. . . . .	<u>29,304,604</u>
Total (0 F.T.E.) . . . . .	\$131,626,536"; and

Further amend said bill, Page 12, Section 5.125, by deleting the number "\$145,892,000" and inserting in lieu thereof the number "**\$148,726,536**"; and

Further amend said bill, Section 5.130, by deleting Lines 4 through 8, and inserting in lieu thereof the following:

"From General Revenue Fund . . . . .	\$117,154,840
From Federal Funds . . . . .	35,923,184
From Other Sources . . . . .	<u>30,526,525</u>
Total (0 F.T.E.) . . . . .	\$183,604,549"; and

Further amend said bill, Section 5.135, by deleting the number "\$180,129,000" and inserting in lieu thereof the number "**\$183,604,549**"; and adjust bill totals accordingly.

**HCS HB 1105, as amended, with House Amendment No. 4, pending**, was laid over.

**HCS HB 1114** was again taken up by Representative Green (73).

Representative Crump offered **House Amendment No. 4**.



*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1114, Page 1, Line 5, by deleting the number "\$75,000,000" and inserting in lieu thereof the number "**98,578,671**".

The intent of this amendment is to be used for a statewide pay plan for state employees.

Representative Gratz offered **House Substitute Amendment No. 1 for House Amendment No. 4** which, pursuant to HCS HR 933, also substitutes for **House Amendment No. 4 to HCS HB 1105**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1105, Page 12, Section 5.105, Line 6, by inserting one new section to read as follows:

"Section 5.112. To the Office of Administration

For a statewide pay plan

From General Revenue Fund. ....	\$20,147,544
From Federal Funds .....	6,505,164
From Other Funds .....	<u>10,400,052</u>
Total (0 F.T.E.) .....	\$37,052,760"; and

Further amend said bill, Page 12, Section 5.115, by deleting Lines 4 through 7 and inserting in lieu thereof the following:

"From General Revenue Fund .....	\$74,525,287
From Federal Funds .....	27,796,645
From Other Sources .....	<u>29,304,604</u>
Total (0 F.T.E.) .....	\$131,626,536"; and

Further amend said bill, Page 12, Section 5.125, by deleting the number "\$145,892,000" and inserting in lieu thereof the number "**\$148,726,536**"; and

Further amend said bill, Section 5.130, by deleting Lines 4 through 8 and inserting in lieu thereof the following:

"From General Revenue Fund .....	\$117,154,840
From Federal Funds .....	35,923,184
From Other Sources .....	<u>30,526,525</u>
Total (0 F.T.E.) .....	\$183,604,549"; and

Further amend said bill, Section 5.135, by deleting the number "\$180,129,000" and inserting in lieu thereof the number "**\$183,604,549**"; and adjust bill totals accordingly.

Funds will come from \$50 million set-aside for Supplemental.

Representative Gratz moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 026

Bartelsmeyer	Burcham	Byrd	Clayton	Crawford
Cunningham	Fares	Gratz	Hagan-Harrell	Henderson
Kelley 47	Kelly 144	Lograsso	Luetkemeyer	Luetkenhaus
May 149	Moore	Myers	Naeger	Ostmann
Overschmidt	Ross	Skaggs	St. Onge	Townley
Vogel				

NOES: 115

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Champion	Cierpiot	Cooper	Copenhaver	Crowell
Crump	Curls	Daus	Davis	Dempsey
Dolan	Enz	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Green 15	Green 73	Griesheimer	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	King	Legan	Liese	Lowe
Marble	Marsh	Mayer	Mays 50	Merideth
Monaco	O'Connor	O'Toole	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Smith	Surface
Thompson	Treadway	Troupe	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

PRESENT: 002

Miller	Purgason
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ABSENT WITH LEAVE: 019

Baker	Ballard	Bowman	Carnahan	Hampton
Hunter	Koller	Lawson	Linton	Long
McKenna	Murphy	Nordwald	Reinhart	Scheve
Schwab	Scott	Shelton	Van Zandt	

VACANCIES: 001

Representative Crump moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 73
Hagan-Harrell	Harding	Haywood	Hickey	Hilgemann
Johnson 61	Jones	Kelly 27	Kelly 36	Koller
Liese	Lowe	Mays 50	McKenna	Murphy
O'Connor	Overschmidt	Paone	Ransdall	Reid
Relford	Reynolds	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 078

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Bonner	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Green 15	Griesheimer
Hanaway	Harlan	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	King	Legan
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Merideth	Monaco	Moore	Myers
Naeger	Nordwald	O'Toole	Ostmann	Phillips
Portwood	Quinn	Rector	Reinhart	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scott	Secrest	Seigfreid	Shoemaker	St. Onge
Surface	Townley	Wright		

PRESENT: 003

Luetkenhaus	Miller	Purgason
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ABSENT WITH LEAVE: 008

Ballard	Hampton	Lawson	Linton	Long
Scheve	Schwab	Van Zandt		

VACANCIES: 001

**HCS HB 1114** was laid over.

**HCS HB 1105, as amended, with House Amendment No. 4, pending**, was again taken up by Representative Bonner.

Pursuant to HCS HR 933, **House Amendment No. 4** is out of order.

On motion of Representative Bonner, **HCS HB 1105, as amended**, was adopted.

On motion of Representative Bonner, **HCS HB 1105, as amended**, was ordered perfected and printed by the following vote:

AYES: 110

Abel	Barnett	Barnitz	Barry 100	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Dempsey	Fares	Foley	Franklin	Fraser
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Lowe	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Ransdall	Rector	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 038

Bartelsmeyer	Bartle	Bearden	Behnen	Boatright
Burcham	Byrd	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dolan	Enz	Froelker
Gaskill	Griesheimer	Hanaway	Henderson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	Lograsso
Luetkemeyer	Mayer	Miller	Phillips	Purgason
Quinn	Reid	Reinhart	Ridgeway	Roark
Smith	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Ballard	Farnen	Gambaro	Hampton
Harlan	Lawson	Linton	Long	Nordwald
Scheve	Schwab	Treadway	Van Zandt	

VACANCIES: 001

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 6**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 41**.

SENATE CONCURRENT RESOLUTION NO. 41

WHEREAS, the State of Missouri is currently facing unique rural and urban primary care workforce issues, including a significant imbalance between the primary care and specialty care workforce in our urban areas and a shortage of traditional primary health care workforce in our state's rural areas; and

WHEREAS, there exists a need for a study on access for Missourians to the health care provider market in the state and the recommendation of specific legislative or enforcement initiatives to insure ample choice for Missouri citizens and to insure affordable health care in the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Interim Committee on Primary Care Workplace Adequacy in Missouri; and

BE IT FURTHER RESOLVED that such Committee shall examine the rural and urban primary care workforce issues facing the State of Missouri, examine the imbalance between primary care and specialty care in the urban areas and its effect on the cost and access to health care, examine the issue of primary care shortage in the rural areas and its effect on the cost and access to health care in the rural areas, examine current Department of Health and Senior Services programs which support primary care training and make recommendations for its modification and enhancement as needed; and

BE IT FURTHER RESOLVED that said Committee shall be composed of five members of the Senate, to be appointed by the President Pro Tem of the Senate, and five members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that said committee prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that Senate Research, the Committee on Legislative Research, and House Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 54**.

SENATE CONCURRENT RESOLUTION NO. 54

WHEREAS, American women of every culture, class and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play a critical economic, cultural and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force in our Nation; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic and cultural institutions in our Nation; and

WHEREAS, American women of every culture, class and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate the month of March as "Women's History Month" and urge the Governor to issue a proclamation calling upon the people of the State of Missouri to observe this month with appropriate programs, ceremonies and activities; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Governor and each member of Missouri's Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 56**.

#### SENATE CONCURRENT RESOLUTION NO. 56

WHEREAS, a permanent electronic identification device to track all red meat-producing livestock from farm to table would be a great protective device for anti-bioterrorism; and

WHEREAS, such devices would be useful to the producers of red meat-producing livestock in controlling diseases as a method of tracing such livestock back to the farm; and

WHEREAS, such devices would be beneficial in providing producers with livestock carcass information, including the rate of gain; and

WHEREAS, such devices would be most useful in generating information on the concept of "farm to table" to protect American consumers:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby encourage the Animal and Plant Inspection Service of the United States Department of Agriculture to develop and promulgate a permanent electronic identification program to be used on all red meat-producing livestock that would gather information and help protect the United States' consumer in the event of a bioterrorist threat; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the United States Department of Agriculture.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 4, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Forty-fourth Day, Tuesday, April 2, 2002, pages 770 and 771, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 774 and 775, roll call, by showing Representative St. Onge voting "aye" rather than "absent with leave".

Pages 775 and 776, roll call, by showing Representatives Boatright, Holt and Reinhart voting "aye" rather than "absent with leave".

Pages 777 and 778, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Pages 778 and 779, roll call, by showing Representative Myers voting "aye" rather than "absent with leave".

Page 780, roll call, by showing Representatives Boatright, Hosmer, McKenna and Shields voting "aye" rather than "absent with leave".

Page 781, roll call, by showing Representatives Dempsey, Hanaway and McKenna voting "aye" rather than "absent with leave".

Pages 782 and 783, roll call, by showing Representatives Cunningham and Dempsey voting "aye" rather than "absent with leave".

Pages 783 and 784, roll call, by showing Representative Bearden voting "aye" rather than "absent with leave".

Pages 783 and 784, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - TRANSPORTATION**

Thursday, April 4, 2002, 8:30 a.m. Hearing Room 6.

Funding Formula.

### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, April 4, 2002, 8:00 a.m. Hearing Room 5.

Executive Session may follow.

Public Hearing to be held on: HB 1771, HB 1952, HB 2082

### **ENVIRONMENT AND ENERGY**

Thursday, April 4, 2002, 8:30 a.m. Hearing Room 7.

Executive Session on House Bill 1599 may follow.

Public Hearing to be held on: HB 1347, HB 1599, HB 2036, HB 2040

### **FISCAL REVIEW AND GOVERNMENT REFORM**

Monday, April 8, 2002, 1:30 p.m. Hearing Room 6.

Public Hearing to be held on: HB 1915, HJR 56

Executive Session to be held on: HB 1306, HB 1392, HB 1461, HB 1926

### **SPECIAL COMMITTEE ON SPORTSMANSHIP, SAFETY AND FIREARMS**

Thursday, April 4, 2002. Side gallery upon adjournment.

Executive Session to be held on: HB 1547, HB 1609, HB 1702

### **UTILITIES REGULATION**

Thursday, April 4, 2002, 8:30 a.m. Side gallery.

Executive Session.

Public Hearing to be held on: HB 1914

## **HOUSE CALENDAR**

FORTY-SIXTH DAY, THURSDAY, APRIL 4, 2002

### **HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1106 - Ransdall
- 2 HCS HB 1107 - Ransdall
- 3 HCS HB 1108 - Kelly (27)
- 4 HCS HB 1109 - Kelly (27)
- 5 HCS HB 1110 - Riback Wilson (25)
- 6 HCS HB 1111 - Troupe
- 7 HCS HB 1112 - Bonner
- 8 HCS HB 1114 - Green (73)



**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1654 & 1156 - Hosmer
- 2 HCS HB 1502 & 1821 - Luetkenhaus
- 3 HB 1455 - O'Toole
- 4 HCS HB 1735 - Hoppe
- 5 HB 1058 - Haywood
- 6 HCS HB 1756 - Reid
- 7 HCS HB 1443 - Barry
- 8 HB 1489 - Britt
- 9 HCS HB 1692 - Overschmidt
- 10 HB 1460 - Hilgemann
- 11 HB 1488 - Skaggs
- 12 HCS HB 1509 & 1510 - Curls
- 13 HB 1850 - O'Toole
- 14 HB 1869 - Barry
- 15 HCS HB 1143 - Rizzo
- 16 HCS HB 1888 - Barnitz

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker
- 4 HB 1773, as amended - Shelton

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HS HCS HB 1392, (Fiscal Review 3-18-02) - Davis
- 4 HB 1679 - Crump
- 5 HB 1306, E.C. (Fiscal Review 4-2-02) - Williams
- 6 HB 1926, E.C. (Fiscal Review 4-2-02) - Fraser

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1722 - Hosmer
- 2 HB 1779 - Green (73)
- 3 HB 1788 - Ross
- 4 HB 1778 - Monaco
- 5 HB 1789 - Ross
- 6 HB 1314 - Mays (50)
- 7 HB 1632 - O'Connor
- 8 HB 1548 - Barry
- 9 HB 1473 - Green (15)
- 10 HB 1781 - Green (73)
- 11 HB 1194 - Gambaro
- 12 HB 1518 - Luetkenhaus
- 13 HB 1568 - Luetkenhaus
- 14 HB 1409 - Campbell
- 15 HB 1600 - Treadway
- 16 HB 1840 - Seigfreid
- 17 HB 1504 - Liese
- 18 HB 1852 - Villa
- 19 HB 1755 - Merideth
- 20 HB 1643 - Holand
- 21 HB 1861 - Burcham
- 22 HB 1032 - Portwood
- 23 HB 1313 - Burton
- 24 HB 1862 - May (149)
- 25 HB 1986 - Hosmer
- 26 HB 1196 - Barnett
- 27 HB 1041 - Myers
- 28 HB 1953 - Van Zandt
- 29 HB 2025 - Walton
- 30 HB 2123 - Barry
- 31 HB 1872 - Hosmer
- 32 HB 1881 - Rizzo
- 33 HB 2008 - O'Connor
- 34 HB 1837 - Berkowitz
- 35 HB 2031 - O'Connor
- 36 HB 1838 - Hosmer
- 37 HB 2047 - Ransdall
- 38 HB 2009 - O'Connor
- 39 HB 1867 - Griesheimer
- 40 HB 2022 - Richardson
- 41 HB 1969 - Reid
- 42 HB 2039 - Kreider
- 43 HB 2002 - Farnen

- 44 HB 2080 - Britt
- 45 HB 1537 - Clayton
- 46 HB 1674 - O'Toole
- 47 HB 1757, E.C. - George
- 48 HB 1635 - Hoppe
- 49 HB 1659 - Kelly (27)
- 50 HB 2130 - Boykins
- 51 HB 2026 - Green (15)
- 52 HB 1937 - Barry
- 53 HB 1811 - Gambaro
- 54 HB 1973 - Bowman
- 55 HB 2023 - Franklin
- 56 HB 2064 - Walton
- 57 HB 1964 - Gambaro
- 58 HB 1085 - Mays (50)
- 59 HB 2155 - Willoughby
- 60 HB 1812 - Riback Wilson (25)
- 61 HB 1839 - Seigfreid
- 62 HB 1776 - Harlan
- 63 HB 1636 - Hoppe
- 64 HB 1148 - Ross
- 65 HB 1645 - Griesheimer
- 66 HB 2018 - Bartle
- 67 HB 2001 - Hegeman
- 68 HB 1580 - Barnett
- 69 HB 1982 - Richardson
- 70 HB 1846 - Scott
- 71 HB 1903 - Liese
- 72 HB 2087 - Whorton
- 73 HB 1955 - Hilgemann
- 74 HB 1701 - Luetkenhaus
- 75 HB 2117 - Boucher
- 76 HB 2032 - Hosmer
- 77 HB 2062 - Hosmer
- 78 HB 1921 - Green (73)
- 79 HB 1803 - Green (73)
- 80 HB 2029 - Hosmer
- 81 HB 1890 - Hilgemann
- 82 HB 2120 - Ridgeway
- 83 HB 1715 - Moore

**SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

1 SCR 41

2 SCR 54

3 SCR 56

**BILL CARRYING REQUEST MESSAGE**

SCS HCS HB 1115, (req. Senate recede/grant conference) - Green (73)

**HOUSE RESOLUTION**

HR 341, (3-7-02, page 518) - Ladd Baker

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTY-SIXTH DAY, THURSDAY, APRIL 4, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Lord of Life: bless now, with Your grace, the hard working and occasionally misunderstood men and women of this House and all who work with them. As decisions are made, keep before us the record You are writing. It is a record of our stewardship and our good sense.

Help them to be good and careful stewards. Support them in their best convictions. Correct them when they need a course adjustment. If any are in need of Your special grace and comfort this day, Gracious Lord, grant it, and sustain them with Your counsel and love.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Andy Chipp, Kristen George, Matt Seidel, Craig Schultz, Melissa Applewhite, Breanna Graham, DaWan Ferguson, Kiaira Manning, Marshaun Futrell, Kianna Ruff, Martin Tinoco, Telisha Hall, Antonio White, John Hansen, Nija Thomas, Jasmine Wade, Sun Young Song, Tyler Haltermen, Sasha Fellenz, Carey Fries, Josh Moye, Precious Turner, Melissa Major, Kristy Boehler, Meagen Jones, Claire Heinicke, Melanie Verseman, Mike Dyer, Ethan Hill, Megan Christy, Adam Wilson, Robin Jones, Emily McGhee, Gary Crites, Ashley Crites, Amie Murphy, Haley Ray, Nicole Galkowski, Ron Erickson, Brandon Hunter, Michelle Anderson, Kim Jones, Ashley Williams, Sally Lister, Stephanie Serati, Katherine Wallach, Adam Herberg, Danny Lutz and Nichole Graves.

The Journal of the forty-fifth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1106

through

House Resolution No. 1108 - Representative Crump

House Resolution No. 1109 - Representative Kreider

House Resolution No. 1110

through

House Resolution No. 1112 - Representative Legan

House Resolution No. 1113

through

House Resolution No. 1115 - Representative Behnen  
House Resolution No. 1116 - Representative Richardson  
House Resolution No. 1117 - Representative Mays (50)  
House Resolution No. 1118 - Representative Copenhaver  
House Resolution No. 1119

through

House Resolution No. 1121 - Representative Gambaro  
House Resolution No. 1122 - Representative Hendrickson  
House Resolution No. 1123 - Representatives Hendrickson and Enz  
House Resolution No. 1124 - Representative Williams  
House Resolution No. 1125 - Representative Gratz  
House Resolution No. 1126 - Representative Koller

House Resolution No. 1127

through

House Resolution No. 1130 - Representative Behnen  
House Resolution No. 1131 - Representative Hegeman  
House Resolution No. 1132 - Representative Bonner

## **SECOND READING OF SENATE CONCURRENT RESOLUTIONS**

**SCR 41, SCR 54** and **SCR 56** were read the second time.

## **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1101, HCS HB 1102, HCS HB 1103, HCS HB 1104** and **HCS HB 1105**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## **PERFECTION OF HOUSE BILLS - APPROPRIATIONS**

**HCS HB 1106**, relating to appropriations, was taken up by Representative Ransdall.

Speaker Kreider assumed the Chair.

Representative Marble offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1106, Page 17, Section 6.335, Line 16, by deleting the number "2,476,350" and inserting in lieu thereof the number "**476,350**"; and

Further amend said section, Line 19, by deleting the number “128,136,350” and inserting in lieu thereof the number “**126,136,350**”; and adjust bill totals accordingly.

The intent of this amendment is for the purpose of job training in House Bill No. 1107, Section 7.050.

On motion of Representative Marble, **House Amendment No. 1** was adopted.

Representative Gambaro offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1106, Page 22, Section 6.420, Line 29, by adding after said line one new section to read as follows:

**“Section 6.500: There is transferred out of the state treasury, chargeable to the natural resources protection fund-water pollution permit fee sub-account, one million dollars to the general revenue fund.**

**From Natural Resources Protection Fund-Water  
Pollution Permit Fee Sub-Account Fund ..... 1,000,000”.**

Representative Gambaro moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 026

Abel	Barry 100	Boykins	Carnahan	Crump
Daus	Foley	Franklin	Gambaro	George
Green 15	Green 73	Hilgemann	Hollingsworth	Jones
Merideth	Monaco	O'Toole	Paone	Reynolds
St. Onge	Treadway	Villa	Wagner	Walker
Mr. Speaker				

NOES: 127

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crowell	Cunningham	Curls	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Fraser
Froelker	Gaskill	Graham	Gratz	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood

Quinn	Ransdall	Rector	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Troupe	Van Zandt	Vogel	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright			

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 008

Baker	Bland	Byrd	Crawford	Legan
McKenna	Purgason	Reid		

VACANCIES: 001

Representative Riback Wilson (25) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1106, Page 10, Section 6.217, by deleting said section and inserting in lieu thereof the following:

**"Section 6.217. There is transferred out of the State Treasury chargeable to General Revenue fund, One Hundred Thousand Dollars (\$100,000) to the Historic Preservation Revolving Fund, as authorized by Section 143.183 RSMo From General Revenue Fund ..... \$100,000".**

On motion of Representative Riback Wilson (25), **House Amendment No. 3** was adopted.

Representative Griesheimer offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1106, Page 21, Section 6.395, Line 6, by deleting said line; and

Further amend said section, Line 9, by deleting said line; and adjust bill totals accordingly.

Representative Griesheimer moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Ransdall, **HCS HB 1106, as amended**, was adopted.

On motion of Representative Ransdall, **HCS HB 1106, as amended**, was ordered perfected and printed by the following vote:



AYES: 134

Abel	Barnett	Barnitz	Barry 100	Bartle
Berkowitz	Black	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Fraser	Gambaro	Gaskill
George	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 020

Bartelsmeyer	Bearden	Behnen	Berkstresser	Boatright
Burcham	Byrd	Cunningham	Enz	Froelker
Griesheimer	Hanaway	Hendrickson	Hohulin	Moore
Nordwald	Portwood	Purgason	Roark	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Ballard	Bland	Crump	Franklin
Graham	Hollingsworth	Koller		

VACANCIES: 001

**HCS HB 1107**, relating to appropriations, was taken up by Representative Ransdall.

Representative Marble offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1107, Page 4, Section 7.045, Line 4, by deleting the number \$7,783,104" and inserting in lieu thereof the number "**10,000,000**"; and

Further amend said bill and page, Section 7.050, by deleting said section in its entirety and inserting in lieu thereof the following new section:

**“Section 7.050. To the Department of Economic Development  
There is transferred out of the State Treasury, chargeable to the General Revenue  
Fund, Ten Million (\$10,000,000) to the Missouri Job Development Fund**

**From General Revenue Fund ..... \$10,000,000”; and**

adjust bill totals accordingly.

On motion of Representative Marble, **House Amendment No. 1** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1107, Page 7, Section 7.095, by deleting said section and inserting the following:

**“Section 7.095. There is transferred out of the State Treasury chargeable to General  
Revenue Fund, One Hundred Thousand Dollars (\$100,000) to the Missouri  
Humanities Council Trust Fund, as authorized by Section 186.165 RSMo**

**From General Revenue Fund ..... \$100,000”; and**

Further amend House Committee Substitute for House Bill No. 1107, Page 7, Section 7.090, by deleting said section and inserting the following:

**“Section 7.090. There is transferred out of the State Treasury chargeable to General  
Revenue Fund, One Hundred Thousand Dollars (\$100,000) to the Missouri Arts  
Council Trust Fund, as authorized by Section 185.100 RSMo**

**From General Revenue Fund ..... \$100,000”.**

From the \$500,000 cut in the University of Missouri System offered by Representative Relford.

On motion of Representative Riback Wilson (25), **House Amendment No. 2** was adopted by the following vote:

AYES: 125

Abel	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Black	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crump	Curls	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
George	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Liese	Linton
Long	Lowe	Luetkenhaus	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole

Ostmann	Overschmidt	Paone	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Rizzo	Scheve	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright

NOES: 029

Barnitz	Berkstresser	Cierpiot	Crowell	Cunningham
Enz	Gaskill	Hagan-Harrell	Henderson	Hendrickson
Hohulin	Hunter	Jones	Kelly 144	Lograsso
Luetkemeyer	Marble	Marsh	Murphy	Phillips
Reid	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Vogel	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Ballard	Bland	Graham	Gratz
Legan	Nordwald	Troupe		

VACANCIES: 001

On motion of Representative Ransdall, **HCS HB 1107, as amended**, was adopted.

On motion of Representative Ransdall, **HCS HB 1107, as amended**, was ordered perfected and printed by the following vote:

AYES: 146

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds

Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 013

Boatright	Burcham	Byrd	Cunningham	Griesheimer
Hanaway	Hendrickson	Hohulin	Hunter	Purgason
Richardson	Roark	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Ballard	Troupe
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VACANCIES: 001

Speaker Pro Tem Abel resumed the Chair.

**HCS HB 1108**, relating to appropriations, was taken up by Representative Kelly (27).

Representative Gratz offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1108, Page 17, Section 8.332, Line 14, by deleting the number "471,431" and inserting in lieu thereof the number "**371,431**"; and

Further amend said section, Line 16, by deleting the number "471,432" and inserting in lieu thereof "**371,432**"; and adjust bill totals accordingly.

Representative Gratz moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Wright offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1108, Page 3, Section 8.055, Lines 6 and 7, by deleting the following: [\$50,000] and [\$3,750,000], and inserting in lieu thereof the following: **\$108,000** and [\$3,808,000]; and

Further amend the bill totals accordingly; and

Further the Missouri Legislature request these additional monies be appropriated for victims of the crime of pedophilia.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1108, Page 3, Section 8.055, Lines 6 and 7, by deleting the following: [\$50,000] and [\$3,750,000], and inserting in lieu thereof the following: **\$108,000** and [\$3,808,000]; and

Further amend the bill totals accordingly.

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 130

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crowell	Curls	Daus
Davis	Dempsey	Dolan	Enz	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Lawson	Legan	Liese	Lowe	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Myers	Nordwald
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wright	Mr. Speaker

NOES: 016

Byrd	Cunningham	Fares	Harlan	Hendrickson
Hohulin	Linton	Luetkemeyer	Marble	McKenna
Murphy	Ostmann	Ridgeway	Townley	Williams
Wilson 25				

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Boykins	Brooks	Cierpiot
Crump	Graham	Hollingsworth	Kelly 144	Koller
Lograsso	Long	Naeger	Richardson	Shields
Wilson 42				

VACANCIES: 001

Representative Kelly (27) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1108, Page 6, Section 8.125, by deleting Lines 3 through 5, and inserting in lieu thereof the following: "**For the Enforcement Program**"; and

Further amend said section, Line 17, by deleting the number "74,890,958" and inserting in lieu thereof the number "**74,790,958**"; and adjust bill totals accordingly.

On motion of Representative Kelly (27), **House Amendment No. 3** was adopted.

Representative Green (73) offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1108, Page 9, Section 8.175, Line 4, by deleting the number "293,092" and inserting in lieu thereof the number "**3,634,847**"; and

Further amend said section, Line 6, by deleting said line and inserting in lieu thereof the following:

"**Total (Not to exceed 78.35 F.T.E.) ..... \$3,894,168**".

Funding for this amendment will come from the Budget Reserve Fund, House Committee Substitute for House Bill No. 1114.

**HCS HB 1108, as amended, with House Amendment No. 4, pending,** was laid over.

**HCS HB 1114,** relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1114, Page 1, by adding "**3,334,175**"; and

adjust language and totals accordingly.

Speaker Kreider resumed the Chair.

Representative Green (73) moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 082

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Dolan
Farnen	Foley	Franklin	Fraser	Gambara
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Lawson	Liese	Lowe	Mays 50
McKenna	Monaco	Murphy	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 077

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Boucher
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hollingsworth	Hunter	Jetton	Kelley 47
Kelly 144	King	Koller	Legan	Linton
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Merideth	Miller	Moore
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Ward
Whorton	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Holand	Lograsso
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VACANCIES: 001

**HCS HB 1114** was laid over.

**HCS HB 1108, as amended, with House Amendment No. 4, pending**, was again taken up by Representative Kelly (27).

Pursuant to HCS HR 933, **House Amendment No. 4** is out of order.

Representative Portwood offered **House Amendment No. 5**.

**House Amendment No. 5** was withdrawn.

Representative Roark offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1108, Page 4, Section 8.105, Line 8, by inserting the following new section:

**“Section 8.107. To the Department of Public Safety  
For the purpose of increasing Highway Patrol Trooper Salaries  
Personal Service  
From General Revenue ..... \$811,678”.**

**HCS HB 1108, as amended, with House Amendment No. 5, pending**, was laid over.

**HCS HB 1112**, relating to appropriations, was taken up by Representative Bonner.

Representative Roark offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1112, Page 2, Section 12.020, Line 3, by deleting the number “150,150” and inserting in lieu thereof the number “0”; and

Further amend Section 12.115, Line 2, by deleting the number “6,743,259” and inserting in lieu thereof the number “**6,406,096**”; and

Further amend Section 12.200, Line 5, by deleting the number “39,962” and inserting in lieu thereof the number “0”; and

Further amend Section 12.510, Line 8, by deleting the number “284,403” and inserting in lieu thereof “0”.

Representative Roark moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Ballard	Bartelsmeyer	Bearden	Behnen	Berkstresser
Boatright	Bonner	Boucher	Brooks	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Davis	Dempsey
Enz	Froelker	Gratz	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hosmer	Hunter	Johnson 61	Jolly	Kelly 144
King	Koller	Legan	Linton	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers



Naeger	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Shields	Shoemaker	St. Onge
Vogel	Wagner	Wright		

NOES: 074

Abel	Barnett	Barnitz	Berkowitz	Black
Bland	Bowman	Boykins	Bray 84	Britt
Campbell	Carnahan	Clayton	Copenhaver	Crump
Curls	Daus	Dolan	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Johnson 90	Jones
Kelly 27	Kelly 36	Liese	Lowe	McKenna
Merideth	Monaco	O'Connor	Paone	Ransdall
Relford	Reynolds	Scheve	Seigfreid	Selby
Shelton	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 004

Bartle	Fares	Jetton	Kelley 47
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ABSENT WITH LEAVE: 011

Baker	Barry 100	Gaskill	Lawson	Lograsso
Mays 50	Nordwald	O'Toole	Richardson	Secrest
Shoemyer				

VACANCIES: 001

**HCS HB 1112** was laid over.

**HCS HB 1108, as amended, with House Amendment No. 5, pending**, was again taken up by Representative Kelly (27).

Pursuant to HCS HR 933, **House Amendment No. 5** is out of order.

Representative Green (15) offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1108, Page 4, Section 8.110, Line 5, by deleting the number "2,200,000" and inserting in lieu thereof the number "**3,200,000**"; and

Further amend said section, Line 8, by deleting the number "6,088,108" and inserting in lieu thereof the number "**7,088,108**"; and adjust bill totals accordingly.

On motion of Representative Green (15), **House Amendment No. 6** was adopted.

Representative Portwood offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1108, Page 17, Section 8.332, Line 14, by deleting the number "471,431"; and adjust totals accordingly; and

Further amend Page 4, Section 8.105, Line 8, by inserting one new section to read as follows:

**"Section 8.107. To the Department of Public Safety  
For the purpose of increasing Highway Patrol Trooper salaries  
Personal Service  
From General Revenue Fund (0 F.T.E.) ..... \$471,431".**

Representative Green (73) raised a point of order that **House Amendment No. 7** is not timely.

The Chair ruled the point of order not well taken.

Representative Bearden offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

**House Substitute Amendment No. 1 for House Amendment No. 7** was withdrawn.

Representative Portwood moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Hoppe offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 1108, Page 9, Section 8.175, Line 3, by deleting the number "293,092" and inserting in lieu thereof the number "**3,799,483**"; and

Further amend said section by adding a new line following Line 5 as follows:

**"From Health Families Trust Fund - Tobacco Prevention Account ..... \$477,993"; and**

Further amend said section by deleting Line 6 and inserting in lieu thereof the following:

**"Total (Not to exceed 93.43 F.T.E.) ..... \$4,536,747".**

**HCS HB 1108, as amended, with House Amendment No. 8, pending,** was laid over.

**HCS HB 1110**, relating to appropriations, was taken up by Representative Riback Wilson (25).

Representative Hoppe offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1110, Page 5, Section 10.115, Line 4, by deleting number "23,410,679" and inserting in lieu thereof the number "**19,904,338**"; and amend section totals accordingly.

The intent is to use these moneys to restore funding in House Committee Substitute for House Bill No. 1108, Section 8.175 to be used for the Division of Liquor Control.

**HCS HB 1110, as amended, with House Amendment No. 2, pending,** was laid over.

**HCS HB 1112** was again taken up by Representative Bonner.

Representative Hosmer offered **House Amendment No. 2** to **HCS HB 1112** as **House Substitute Amendment No. 1 for House Amendment No. 2 to HCS HB 1110** which, pursuant to HCS HR 933, also substitutes for **House Amendment No. 8 to HCS HB 1108**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1112, Page 12, Section 12.320, Line 5, by deleting the number "5,226,346" and inserting in lieu thereof the number "**2,226,346**"; and

Further amend said section, Line 6, by deleting the number "8,437,475" and inserting in lieu thereof the number "**5,437,475**"; and amend section and bill totals accordingly.

Funds will be used to restore funding for the Division of Liquor Control.

On motion of Representative Hosmer, **House Amendment No. 2** was adopted.

**HCS HB 1112, as amended,** was laid over.

Speaker Pro Tem Abel resumed the Chair.

**HCS HB 1108, as amended, with House Amendment No. 8, pending,** was again taken up by Representative Kelly (27).

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 1108, Page 9, Section 8.175, Line 4, by deleting the number "293,092" and inserting in lieu thereof the number "**3,293,092**"; and

Further amend said section, Line 6, by deleting said line and inserting in lieu thereof the following:

"**Total (Not to exceed 78.35 F.T.E.) ..... \$3,552,413**".

Funding for this amendment will come from House Committee Substitute for House Bill No. 1112, Section 12.320.

On motion of Representative Hosmer, **House Substitute Amendment No. 1 for House Amendment No. 8** was adopted.

Representative Gaskill offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for House Bill No. 1108, Page 9, Section 8.175, Line 4, by deleting the number "293,092" and inserting in lieu thereof the number "**635,392**"; and amend section and bill totals accordingly.

Representative Kelly (27) raised a point of order that **House Amendment No. 9** amends previously amended material.

The Chair ruled the point of order not well taken.

**HCS HB 1108, as amended, with House Amendment No. 9, pending**, was laid over.

**HCS HB 1112, as amended**, was again taken up by Representative Bonner.

Representative Gaskill offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1112, Page 17, Section 12.505, Line 6, by deleting the number "1,760,400" and inserting in lieu thereof the number "**1,418,100**"; and

Further amend said section, Line 15, by deleting the number "20,590,941" and inserting in lieu thereof the number "**20,248,641**".

This amendment would reduce monthly member \$1,000 account from \$900 to \$725. The intent of the amendment is to partially restore the Division of Liquor control core cut.

Representative Gaskill moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

**HCS HB 1112, as amended**, was laid over.

**HCS HB 1108, as amended, with House Amendment No. 9, pending**, was again taken up by Representative Kelly (27).

Pursuant to HCS HR 933, **House Amendment No. 9** is out of order.

On motion of Representative Kelly (27), **HCS HB 1108, as amended**, was adopted.

On motion of Representative Kelly (27), **HCS HB 1108, as amended**, was ordered perfected and printed by the following vote:

AYES: 143

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reinhart	Relford	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 012

Ballard	Boatright	Byrd	Cunningham	Froelker
Griesheimer	Hanaway	Hunter	Jetton	Richardson
Roark	Townley			

PRESENT: 000

ABSENT WITH LEAVE: 007

Curls	Hollingsworth	Lograsso	O'Toole	Reid
Reynolds	Troupe			

VACANCIES: 001

**HCS HB 1109**, relating to appropriations, was taken up by Representative Kelly (27).

Representative Bray offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1109, Page 4, Section 9.070, Line 7, by deleting the number "\$40,957,391" and inserting in lieu thereof the number "**\$17,378,720**".

Funding will be used in House Committee Substitute for House Bill No. 1112 for a statewide pay plan.

Representative Villa assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Crowell offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Bray raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Bray moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 030

Baker	Bland	Boucher	Bowman	Boykins
Bray 84	Campbell	Copenhaver	Crawford	Daus
Fraser	Graham	Hagan-Harrell	Harding	Harlan
Haywood	Hilgemann	Jones	Kelley 47	Long
Mays 50	Moore	Shelton	Troupe	Van Zandt
Villa	Walton	Williams	Wilson 25	Wilson 42

NOES: 125

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Britt
Brooks	Burcham	Burton	Byrd	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crowell
Crump	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart

Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Vogel	Wagner
Walker	Ward	Whorton	Willoughby	Wright

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 006

Curls	Hollingsworth	Lograsso	Monaco	Reynolds
Mr. Speaker				

VACANCIES: 001

On motion of Representative Kelly (27), **HCS HB 1109** was adopted.

On motion of Representative Kelly (27), **HCS HB 1109** was ordered perfected and printed by the following vote:

AYES: 138

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Holt	Hoppe
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 014

Ballard	Bartelsmeyer	Boatright	Byrd	Cunningham
Froelker	Griesheimer	Hanaway	Long	Nordwald
Purgason	Richardson	Roark	Townley	

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Curls	Dolan	Hohulin	Hollingsworth
Hosmer	Hunter	Lograsso	Reynolds	Skaggs

VACANCIES: 001

**HCS HB 1110, as amended**, was again taken up by Representative Riback Wilson (25).

Speaker Kreider resumed the Chair.

Representative Green (73) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1110, Page 14, Section 10.415, Line 4, by deleting the number "79,594,115" and inserting in lieu thereof the number "**78,085,405**"; and

Further amend said section, Line 23, by deleting the number "134,622,906" and inserting in lieu thereof the number "**133,114,196**"; and

Further amend said bill, Page 19, Section 10.570, Line 4, by deleting the number "19,974,708" and inserting in lieu thereof the number "**20,336,311**"; and

Further amend said section, Line 8, by deleting the number "22,833,569" and inserting in lieu thereof the number "**23,195,172**"; and

Further amend said section, Line 14, by deleting said line and inserting in lieu thereof the following:

**"Total (Not to exceed 973.62 F.T.E.) ..... \$24,808,833";** and

Further amend said bill, Page 20, Section 10.575, Line 4, by deleting the number "8,168,388" and inserting in lieu thereof the number "**8,383,125**"; and

Further amend said section, Line 8, by deleting the number "9,853,769" and inserting in lieu thereof the number "**10,068,506**"; and

Further amend said section, Line 22, by deleting said line and inserting in lieu thereof the following:

**"Total (Not to exceed 518.69 F.T.E.) ..... \$13,053,502";** and

Further amend said bill, Page 20, Section 10.580, Line 4, by deleting the number "19,150,043" and inserting in lieu thereof the number "**19,712,951**"; and

Further amend said section, Line 8, by deleting the number "21,807,267" and inserting in lieu thereof the number "**22,370,175**"; and



Further amend said section, Line 14, by deleting said line and inserting in lieu thereof the following:

**“Total (Not to exceed 993.19 F.T.E.) ..... \$24,339,816”; and**

Further amend said bill, Page 21, Section 10.585, Line 4, by deleting the number “7,885,564” and inserting in lieu thereof the number **“7,920,892”**; and

Further amend said section, Line 8, by deleting said line and inserting in lieu thereof the following:

**“From General Revenue Fund (Not to exceed 347.25 F.T.E.) ..... \$9,979,586”; and**

Further amend said bill, Page 21, Section 10.590, Line 5, by deleting the number “15,126,375” and inserting in lieu thereof the number **“15,394,001”**; and

Further amend said section, Line 9, by deleting the number “17,954,110” and inserting in lieu thereof the number **“18,221,736”**; and

Further amend said section, Line 14, by deleting said line and inserting in lieu thereof the following:

**“Total (Not to exceed 757.46 F.T.E.) ..... \$18,972,743”; and**

Further amend said bill, Page 22, Section 10.595, Line 4, by deleting the number “4,958,960” and inserting in lieu thereof the number **“5,025,468”**; and

Further amend said section, Line 8, by deleting the number “5,999,130” and inserting in lieu thereof the number **“6,065,638”**; and

Further amend said section, Line 14, by deleting said line and inserting in lieu thereof the following:

**“Total (Not to exceed 238.52 F.T.E.) ..... \$6,174,426”.**

The intent of this amendment is to reduce Section 10.415 by \$1,508,710 GR and use the same to restore Governor recommended core cuts in personal service funding in each of the state’s 6 habilitation centers, thereby avoiding any layoffs in FY 2003.

On motion of Representative Green (73), **House Amendment No. 3** was adopted.

Representative Abel offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1110, Page 40, Section 10.825, Line 6, by inserting immediately after said line the following:

**“If the enrollment fee collections exceed the originally projected enrollment revenues, the Commission shall be authorized to spend from such collections to cover the cost of third party administration.**

**Expense and Equipment**  
**From Missouri Senior Rx Fund ..... \$1E”.**

On motion of Representative Abel, **House Amendment No. 4** was adopted.

Representative O'Connor offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1110, Page 14, Section 10.415, Line 10, by striking the figure "\$20,875,564" on said line and inserting in lieu thereof the figure "**\$22,003,479**"; and

Further amend the totals of said bill accordingly.

The intent of this amendment is to reduce General Revenue appropriations to the Attorney General by \$1,127,915 (less than a 10% reduction), and to increase appropriations to the Department of Mental Health by a like amount in order to provide funding at FY02 levels for family-directed, traditional residential and support services to families who choose to care for their sons and daughters with developmental disabilities in their homes or in an appropriate residential setting, and to include them in all aspects of home, community and family life.

**HCS HB 1110, as amended, with House Amendment No. 5, pending,** was laid over.

**HCS HB 1112, as amended,** was again taken up by Representative Bonner.

Representative O'Connor offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1112, Page 8, Section 12.175, Line 3, by striking the figure "\$12,364,281" on said line and inserting in lieu thereof the figure "**\$11,236,366**"; and

Further amend the totals of said bill accordingly.

The intent of this amendment is to reduce General Revenue appropriations to the Attorney General by \$1,127,915 (less than a 10% reduction), and to increase appropriations to the Department of Mental Health by a like amount in order to provide funding at FY02 levels for family-directed, traditional residential and support services to families who choose to care for their sons and daughters with developmental disabilities in their homes or in an appropriate residential setting, and to include them in all aspects of home, community and family life.

On motion of Representative O'Connor, **House Amendment No. 4** was adopted.

**HCS HB 1112, as amended,** was laid over.

**HCS HB 1110, as amended, with House Amendment No. 5, pending,** was again taken up by Representative Riback Wilson (25).

On motion of Representative O'Connor, **House Amendment No. 5** was adopted.

Representative Hollingsworth offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1110, Pages 28 through 34, Section 10.710, Lines 1 through 186, by deleting all of said lines and inserting in lieu thereof the following:

**“Section 10.710. To the Department of Health**

**For the Division of Maternal, Child and Family Health**

**1. For the purposes of funding family planning services, pregnancy testing, and follow-up services, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or administrative expenses. Family planning services shall include but shall not be limited to the following services: contraceptive counseling and client-appropriate birth control methods, gynecologic exams, breast exams for the early detection of breast cancer, Pap tests for the detection of cervical cancer, testing and treatment of sexually transmitted infections, health screenings for high blood pressure and diabetes, pregnancy testing, infertility management, preconception counseling, non-directive pregnancy counseling, domestic violence and sexual abuse education, counseling and referral, and mental health and substance abuse referrals.**

Representative Hollingsworth moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Speaker Pro Tem Abel resumed the Chair.

Representative Portwood offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1110, Page 36, Section 10.745, Line 4, by inserting immediately after said line the following:

**“and for a study of the negative effects of calcium deficiencies on women, infants, children, minorities, and inmates of Missouri state correctional facilities with a report of findings to be provided to the General Assembly within the fiscal year.”.**

Representative Portwood moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Hosmer offered **House Amendment No. 8.**

Representative Green (73) raised a point of order that **House Amendment No. 8** is dilatory.

The Chair ruled the point of order not well taken.

Representative Green (73) raised a point of order that **House Amendment No. 8** amends previously amended material.

The Chair ruled the point of order not well taken.

**House Amendment No. 8** was withdrawn.

Representative Cunningham offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 1110, Page 36, Section 10.760, Line 6, by deleting the number "2,182,385" and inserting in lieu thereof the number "**2,099,369**"; and

Further amend said Section, Line 30, by deleting said line and inserting in lieu thereof the following:

**"Total (Not to exceed 257.01 F.T.E.) ..... \$11,553,046".**

Representative Cunningham moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

**HCS HB 1110, as amended**, was laid over.

**COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1106, HCS HB 1107, HCS HB 1108** and **HCS HB 1109**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**SUPPLEMENTAL CALENDAR**

April 4, 2002

**HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HCS HB 1101 - Green (73)
- 2 HCS HB 1102 - Graham
- 3 HCS HB 1103 - Graham
- 4 HCS HB 1104 - Bray
- 5 HCS HB 1105 - Bonner

**SUPPLEMENTAL CALENDAR NO. 2**

April 4, 2002

**HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HCS HB 1106 - Ransdall
- 2 HCS HB 1107 - Ransdall
- 3 HCS HB 1108 - Kelly (27)
- 4 HCS HB 1109 - Kelly (27)

On motion of Representative Crump, the House recessed until 7:15 p.m.

### EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

### HOUSE COURTESY RESOLUTION OFFERED AND ISSUED

House Resolution No. 1133 - Representative Froelker

### THIRD READING OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 1101**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 1101** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 009

Boatright	Burcham	Byrd	Cierpiot	Crowell
Hohulin	Hunter	King	Roark	

PRESENT: 001

Linton

ABSENT WITH LEAVE: 007

Baker	Curls	Hendrickson	Lograsso	Reynolds
Richardson	Townley			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS HB 1102**, relating to appropriations, was taken up by Representative Graham.

On motion of Representative Graham, **HCS HB 1102** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 010

Bartelsmeyer	Byrd	Griesheimer	Hanaway	Hohulin
Hunter	Jetton	Linton	Nordwald	Roark

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Curls	Hampton	Hendrickson	Lograsso
Reynolds	Townley			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS HB 1103**, relating to appropriations, was taken up by Representative Graham.

On motion of Representative Graham, **HCS HB 1103** was read the third time and passed by the following vote:

AYES: 138

Abel	Barnett	Barnitz	Barry 100	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 018

Ballard	Bartelsmeyer	Bartle	Bearden	Boatright
Burcham	Byrd	Cunningham	Griesheimer	Hanaway
Hohulin	Hunter	Jetton	Linton	Luetkemeyer
Murphy	Nordwald	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Curls	Hendrickson	Lograsso	Reynolds
Townley				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS HB 1104**, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HB 1104** was read the third time and passed by the following vote:

AYES: 126

Abel	Barnett	Barnitz	Barry 100	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Cierpiot	Clayton
Copenhaver	Crawford	Crump	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Purgason	Quinn	Ransdall	Rector	Reid
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 028

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Boatright	Burcham	Byrd	Champion	Cooper
Crowell	Cunningham	Enz	Froelker	Hanaway
Hohulin	Hunter	Jetton	Johnson 61	Kelley 47
Luetkemeyer	Murphy	Nordwald	Phillips	Portwood
Reinhart	Roark	Wright		

PRESENT: 000



ABSENT WITH LEAVE: 008

Baker	Curls	Hendrickson	Hosmer	Lograsso
McKenna	Reynolds	Townley		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS HB 1105**, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HB 1105** was read the third time and passed by the following vote:

AYES: 105

Abel	Barnitz	Barry 100	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Clayton	Copenhaver	Crump	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Ransdall
Relford	Richardson	Rizzo	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 050

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Boatright	Burcham	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Enz	Froelker	Gaskill	Griesheimer
Hanaway	Hegeman	Henderson	Hohulin	Hunter
Jetton	Kelly 144	Linton	Long	Marble
Marsh	May 149	Mayer	Miller	Murphy
Nordwald	Phillips	Purgason	Quinn	Rector
Reid	Reinhart	Ridgeway	Roark	Robirds
Secrest	Shoemaker	Smith	Surface	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Curls	Hendrickson	Hosmer	Lograsso
Reynolds	Townley			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS HB 1106**, relating to appropriations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HCS HB 1106** was read the third time and passed by the following vote:

AYES: 136

Abel	Baker	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 021

Ballard	Bartelsmeyer	Bartle	Bearden	Boatright
Burcham	Byrd	Cunningham	Enz	Froelker
Griesheimer	Hanaway	Hohulin	Hunter	Linton
Murphy	Nordwald	Purgason	Richardson	Roark
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Curls

Hendrickson

Lograsso

Reynolds

Townley

VACANCIES: 001

Speaker Kreider declared the bill passed.

## PERFECTION OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 1110, as amended**, relating to appropriations, was taken up by Representative Riback Wilson (25).

Representative Johnson (61) offered **House Amendment No. 9**.

### *House Amendment No. 9*

AMEND House Committee Substitute for House Bill No. 1110, Page 36, Section 10.760, Line 6, by deleting the number "2,182,385" and inserting in lieu thereof the number "**2,099,365**"; and

Further amend said Section, Line 30, by deleting said line and inserting in lieu thereof the following:

**"Total (Not to exceed 257.01 F.T.E.) ..... \$11,553,042".**

Representative Riback Wilson (25) raised a point of order that **House Amendment No. 9** is dilatory.

The Chair ruled the point of order not well taken.

Representative Johnson (61) moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Hollingsworth offered **House Amendment No. 10**.

### *House Amendment No. 10*

AMEND House Committee Substitute for House Bill No. 1110, Pages 28 through 34, Section 10.710, Lines 1 through 186, by deleting all of said lines and inserting in lieu thereof the following:

**"Section 10.710. To The Department of Health**

**For the Division of Maternal, Child and Family Health**

**1. For the purposes of funding family planning services, pregnancy testing, and follow-up services, provided that none of these funds appropriated herein may be expended to directly or indirectly subsidize abortion services or referrals or administrative expenses. Family planning services shall include but shall not be limited to the following services: contraceptive counseling and client-appropriate birth control methods, gynecologic exams, breast exams for the early detection of breast cancer, Pap tests for the detection of cervical cancer, testing and treatment of sexually transmitted infections, health screenings for high blood pressure and diabetes,**

pregnancy testing, infertility management, preconception counseling, non-directive pregnancy counseling, domestic violence and sexual abuse education, counseling and referral, and mental health and substance abuse referrals.”.

Representative Hollingsworth moved that **House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 047

Abel	Baker	Bland	Bowman	Boykins
Bray 84	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Fares	Farnen	Franklin	Fraser
Graham	Hagan-Harrell	Harding	Harlan	Haywood
Hilgemann	Hollingsworth	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Lowe	Mays 50
Monaco	Ostmann	Relford	Rizzo	Scheve
Skaggs	Smith	Thompson	Troupe	Van Zandt
Walker	Walton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 103

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	Burcham
Burton	Champion	Cierpiot	Cooper	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Hartzler	Hegeman
Henderson	Hickey	Hohulin	Holand	Holt
Hoppe	Hunter	Jetton	Kelley 47	Kelly 144
Kelly 36	King	Lawson	Legan	Liese
Linton	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	St. Onge
Surface	Treadway	Villa	Vogel	Wagner
Ward	Whorton	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Boucher	Byrd	Curls	Foley	Hendrickson
Koller	Lograsso	Long	Nordwald	Reynolds
Richardson	Townley			

VACANCIES: 001

On motion of Representative Riback Wilson (25), **HCS HB 1110, as amended**, was adopted.

On motion of Representative Riback Wilson (25), **HCS HB 1110, as amended**, was ordered perfected and printed by the following vote:

AYES: 131

Abel	Baker	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 021

Ballard	Bartelsmeyer	Bartle	Bearden	Boatright
Cunningham	Froelker	Griesheimer	Hanaway	Henderson
Hohulin	Holand	Hunter	Jetton	Kelly 144
Linton	Mayer	Murphy	Naeger	Richardson
Roark				

PRESENT: 000

ABSENT WITH LEAVE: 010

Byrd	Curls	Hendrickson	Koller	Lograsso
Long	Nordwald	Purgason	Reynolds	Townley

VACANCIES: 001

**HCS HB 1111**, relating to appropriations, was taken up by Representative Troupe.

Representative Campbell offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1111, Page 28, Section 11.455, Line 35, by deleting said line; and

Further amend said section, Line 32, by deleting the number "247,005,921" and replacing it with the number "238,439,321"; and

Further amend said section, Line 37, by deleting the number "\$705,169,369" and replacing it with the number "\$691,169,389"; and

Further amend said bill, Page 28, Section 11.460, Lines 3 through 5, by deleting said lines and replacing them with the following:

**"For the purpose of funding from Intergovernmental Transfer funds based upon the increase in funds due to the allowable indexing of the Medicare upper payment limit for one-time grants to nursing homes to improve quality of care and \$4,000,000 for one-time grants to high Medicaid volume facilities. Prior to distribution of any funds appropriated in this section, the Department of Social Services shall advise the House Budget Chair and the Senate Appropriations Chair that no disallowance of the indexing methodology is being pursued by the Centers for Medicare and Medicaid Services.**

From Intergovernmental Transfer Fund .....	\$9,896,550
From Federal Funds .....	<u>15,603,450</u>
Total .....	\$25,500,000

**Section 11.461. To the Department of Social Services**

**For the Division of Medical Services**

**For funding a rebasing of nursing home payments within available funds appropriated in this section, including a hold-harmless provision and funding to provide a minimum payment to nursing homes of \$90 per bed day**

From Federal Funds .....	\$14,189,900
From Nursing Facility Federal Reimbursement	

Allowance Fund .....	<u>9,000,000</u>
Total .....	\$23,189,900".

Representative Barry offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1*

*for*

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1111, Page 28, Section 11.455, Line 35, by deleting said line; and

Further amend said section, Line 32, by deleting the number "247,005,921" and replacing it with the number "238,439,321"; and

Further amend said section, Line 37, by deleting the number "\$705,169,369" and replacing it with the number "\$691,169,389"; and

Further amend said bill, Page 28, Section 11.460, Lines 3 through 5, by deleting said lines and replacing them with the following:

**"For the purpose of funding from Intergovernmental Transfer funds based upon the increase in funds due to the allowable indexing of the Medicare upper payment limit for one-time grants to nursing homes to improve quality of care specifically be used to establish quality of care initiatives in nursing homes to retain quality staff**

with programs such as establishing a career ladder for direct care-givers, developing a certified nursing assistant training, mentoring and continuing education program and/or other quality of care initiatives that the Division of Medical Services in collaboration with the Department of Health and Senior Services shall establish before said funds are released and \$4,000,000 for one-time grants to high Medicaid volume facilities. Prior to distribution of any funds appropriated in this section, the Department of Social Services shall advise the House Budget Chair and the Senate Appropriations Chair that no disallowance of the indexing methodology is being pursued by the Centers for Medicare and Medicaid Services

From Intergovernmental Transfer Fund .....	\$9,896,550
From Federal Funds .....	<u>15,603,450</u>
Total .....	\$25,500,000

**Section 11.461. To the Department of Social Services**

**For the Division of Medical Services**

**For funding a rebasing of nursing home payments within available funds appropriated in this section, including a hold-harmless provision and funding to provide a minimum payment to nursing homes of \$90 per bed day**

From Federal Funds .....	\$14,189,900
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**From Nursing Facility Federal Reimbursement**

Allowance Fund .....	<u>9,000,000</u>
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Total .....	\$23,189,900".
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Representative Kelly (27) offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Amendment No. 1*  
to  
*House Substitute Amendment No. 1*  
for  
*House Amendment No. 2*

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Committee Substitute for House Bill No. 1111, Line 12 of said amendment, by placing a period after the word "care" and by deleting the words "specifically" and inserting in lieu thereof the words "**such funds shall only**".

On motion of Representative Kelly (27), **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Kelly (27) offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Amendment No. 2*  
to  
*House Substitute Amendment No. 1*  
for  
*House Amendment No. 2*

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Committee Substitute for House Bill No. 1111, Page 2, Section 11.460, Line 3, by inserting at the end of said line the following:

**" A Joint Committee on Nursing Home Medicaid Reimbursement shall be established for the purpose of reviewing the rate-setting process to make recommendations regarding the equity of Medicaid reimbursement of nursing homes. The committee shall consist of five members of the House appointed by the Speaker of the House and five members of the Senate appointed by the President Pro Tem, with no more than three members of the same party from each chamber."**

Representative Hegeman raised a point of order that **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Kelly (27), **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Merideth offered **House Amendment No. 3 to House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Amendment No. 3  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Committee Substitute for House Bill No. 1111, Page 1, from the top of the page, Line 21, by deleting the following sentence:

“Prior to distribution of any funds appropriated in this section, the Department of Social Services shall advise the House Budget Chair and the Senate Appropriations Chair that no disallowance of the indexing methodology is being pursued by the Centers for Medicare and Medicaid Services.”

On motion of Representative Merideth, **House Amendment No. 3 to House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer



Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Clayton	Holand	Kelly 27
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PRESENT: 000

ABSENT WITH LEAVE: 018

Bartelsmeyer	Boucher	Bray 84	Curls	Daus
Franklin	Hartzler	Hendrickson	Johnson 61	Koller
Linton	Lograsso	Long	Murphy	Nordwald
O'Connor	Reynolds	Townley		

VACANCIES: 001

On motion of Representative Barry, **House Substitute Amendment No. 1 for House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Lawson	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bartelsmeyer	Curls	Hartzler	Hendrickson	Koller
Lograsso	Long	Murphy	Nordwald	Reynolds
Townley	Wilson 42			

VACANCIES: 001

Representative Ladd Baker offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1111, Page 33, Section 11.535, Line 9, by deleting said line in its entirety and inserting the following new line:

**"Total (Not to exceed 75.00 F.T.E.) ..... \$7,032,581".**

On motion of Representative Ladd Baker, **House Amendment No. 3** was adopted.

Representative Boatright offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1111, Page 30, Section 11.485, Lines 7 through 16, by deleting said lines in their entirety and inserting in lieu thereof the following new lines:

**"From General Revenue Fund ..... \$477,948**  
**From Federal Funds ..... 7,619,709**  
**From Federal Reimbursement Allowance**  
**Fund and Intergovernmental Transfers ..... 2,675,567**  
**From Pharmacy Reimbursement Allowance Fund ..... 44,564**

**For the purpose of funding health care services provided to uninsured adults  
 through local initiatives for the uninsured**

**From Federal and Other Funds ..... 1E**  
**Total (0 F.T.E.) ..... \$11,506,432".**

Speaker Pro Tem Abel resumed the Chair.

Representative Boatright moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Ballard	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hegeman	Henderson	Hohulin	Holand

Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	St. Onge	Surface	Vogel
Wright				

NOES: 081

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Daus	Davis	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Lawson
Liese	Lowe	Luetkenhaus	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Reid	Relford	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 015

Bartelsmeyer	Crump	Curls	Hartzler	Hendrickson
Hoppe	Koller	Linton	Lograsso	Long
Mays 50	Nordwald	Reynolds	Richardson	Townley

VACANCIES: 001

Representative Naeger offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1111, Page 11, Section 11.105, Line 2, by deleting the words “and/or the Division of Children’s Services”; and

Further amend said bill and page, Section 11.110, Line 2, by deleting the words “and/or the Division of Children’s Services”; and

Further amend said bill, Page 12, Section 11.125, Line 2, by deleting the words “and/or the Division of Children’s Services”; and

Further amend said bill, Page 17, Section 11.135, Line 2, by deleting the words “and/or the Division of Children’s Services”; and

Further amend said bill, Page 21, Section 11.205, Line 2, by deleting the words “Division of Children’s Services and/or”; and

Further amend said bill, Page 22, Section 11.210, Line 2, by deleting the words “Division of Children’s Services and/or”; and

Further amend said bill and page, Section 11.215, Line 2, by deleting the words “Division of Children’s Services and/or”; and

Further amend said bill and page, Section 11.220, Line 2, by deleting the words “Division of Children’s Services and/or”; and

Further amend said bill and page, Section 11.225, Line 2, by deleting the words “Division of Children’s Services and/or”; and

Further amend said bill, Page 23, Section 11.230, Line 2, by deleting the words “and/or the Division of Children’s Services”; and

Further amend said bill and page, Section 11.235, Line 2, by deleting the words “Division of Children’s Services and/or”; and

Further amend said bill and page, Section 11.240, Line 2, by deleting the words “Division of Children’s Services and/or”.

On motion of Representative Naeger, **House Amendment No. 5** was adopted by the following vote:

AYES: 136

Abel	Baker	Barnett	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Miller	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 007

Barnitz	Clayton	Franklin	Gambaro	Merideth
Murphy	Ward			

PRESENT: 000

ABSENT WITH LEAVE: 019

Ballard	Bartelsmeyer	Britt	Curls	Froelker
Hartzler	Hendrickson	Hollingsworth	Koller	Linton
Lograsso	Long	Mays 50	McKenna	Nordwald
Reynolds	Seigfreid	Townley	Treadway	

VACANCIES: 001

On motion of Representative Troupe, **HCS HB 1111, as amended**, was adopted.

On motion of Representative Troupe, **HCS HB 1111, as amended**, was ordered perfected and printed by the following vote:

AYES: 121

Abel	Baker	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Copenhaver
Crawford	Crowell	Crump	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hegeman
Hickey	Hilgemann	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Merideth	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Quinn
Ransdall	Relford	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 022

Bartle	Bearden	Boatright	Byrd	Cooper
Cunningham	Griesheimer	Hanaway	Henderson	Hohulin
Holand	Hunter	Jetton	May 149	Miller
Murphy	Phillips	Rector	Reid	Reinhart
Roark	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 019

Ballard	Bartelsmeyer	Curls	Daus	Froelker
Hartzler	Hendrickson	Hollingsworth	Koller	Linton
Lograsso	Long	Mays 50	McKenna	Nordwald
Purgason	Reynolds	Scott	Townley	

VACANCIES: 001

**HCS HB 1112, as amended**, relating to appropriations, was taken up by Representative Bonner.

Representative Kelly (27) offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1112, Section 12.380, Pages 14 and 15, by deleting said section and inserting in lieu thereof the following new section:

**"Section 12.380. To the Supreme Court**  
**For the purpose of funding drug courts**  
     **Personal Service** ..... **\$211,315**  
     **Expense and Equipment** ..... **1,610,185E**  
**From the Drug Court Resources Fund, and any grants, contributions, or receipts from the**  
**federal government or any other source deposited into the State Treasury for drug courts**  
**(Not to exceed 4.00 F.T.E. .... \$1,821,500".**

On motion of Representative Kelly (27), **House Amendment No. 5** was adopted.

Representative Copenhaver offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1112, Page 2, Section 12.045, Line 3, by deleting the number "9,973,162" and inserting in lieu thereof the number "**9,873,162**"; and

Further amend said section, Line 21, by deleting the number "15,607,729" and inserting in lieu thereof the number "**15,507,729**"; and

Further amend said bill, Page 5, Section 12.105, by inserting immediately after said section the following new section:

**"Section 12.107. To the Secretary of State**  
**There is transferred out of the State Treasury, chargeable to the General Revenue**  
**Fund, One Hundred Thousand Dollars (\$100,000) to the Library Networking**  
**Fund as provided in Section 143.183 RSMo**  
**From General Revenue Fund** ..... **\$100,000"; and**

adjust bill totals accordingly.

On motion of Representative Copenhaver, **House Amendment No. 6** was adopted.

Representative Luetkenhaus offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1112, Page 8, Section 12.175, Line 2, by inserting immediately after the word “Personal” on said line the words:

“For the purpose of paying any amounts ordered by a court to be paid by the state or any official, department, division or agency of the state, in any of the following cases: the case originated in the Circuit Court of Cole County styled *State of Missouri vs. Planned Parenthood of Kansas and Mid-Missouri and Planned Parenthood of the St. Louis Region and Dempsey*; or the case originated in the federal District Court for the Western District of Missouri styled *Planned Parenthood of Kansas and Mid-Missouri vs. Dempsey*; or the case originated in the Circuit Court for the City of St. Louis styled *Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc. and Crist vs. State of Missouri*; or the case originated in the federal District Court for the Western District of Missouri styled *Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc. and Crist vs. Nixon and Hayes*; and any excess remaining thereafter shall be used to pay expenses of the Attorney General relating to”.

On motion of Representative Luetkenhaus, **House Amendment No. 7** was adopted by the following vote:

AYES: 091

Barnett	Barnitz	Barry 100	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Daus	Dempsey	Dolan	Enz
Froelker	Gambaro	Gaskill	Gratz	Green 15
Griesheimer	Hampton	Hanaway	Hegeman	Henderson
Hohulin	Holand	Holt	Hoppe	Hunter
Jetton	Kelley 47	Kelly 144	Kelly 36	King
Legan	Liese	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Merideth	Miller
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Selby	Shields
Shoemaker	Shoemyer	St. Onge	Surface	Treadway
Villa	Vogel	Wagner	Ward	Whorton
Wright				

NOES: 054

Abel	Baker	Blond	Bowman	Boykins
Bray 84	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Davis	Fares	Farnen
Foley	Franklin	Fraser	George	Green 73
Hagan-Harrell	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Lowe	Monaco
Ostmann	Ransdall	Relford	Rizzo	Scheve
Seigfreid	Shelton	Skaggs	Smith	Thompson
Troupe	Van Zandt	Walker	Walton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 001

Britt

ABSENT WITH LEAVE: 016

Ballard	Bartelsmeyer	Curls	Graham	Hartzler
Hendrickson	Koller	Lawson	Linton	Lograsso
Long	Mays 50	McKenna	Nordwald	Reynolds
Townley				

VACANCIES: 001

Representative Hosmer offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 1112, Page 12, Section 12.320, Line 5, by deleting the number "\$5,226,346" and inserting in lieu thereof the number "**\$8,226,346**" and adjust section and bill totals accordingly.

From the remaining amount set aside for supplemental.

Representative Farnen offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

**House Substitute Amendment No. 1 for House Amendment No. 8** was withdrawn.

Representative Hosmer moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 041

Bland	Bonner	Bowman	Boykins	Britt
Burcham	Byrd	Carnahan	Clayton	Copenhaver
Crawford	Crowell	Cunningham	Davis	Franklin
Gaskill	Hagan-Harrell	Hanaway	Harding	Harlan
Hoppe	Hosmer	Jolly	Kelly 27	Kelly 36
Lawson	Marsh	Mayer	Monaco	Reid
Ridgeway	Seigfreid	Shields	Smith	Thompson
Troupe	Walton	Ward	Williams	Willoughby
Wilson 42				

NOES: 105

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Boucher	Bray 84	Brooks
Burton	Campbell	Champion	Cierpiot	Cooper
Crump	Daus	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hampton	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hunter	Jetton	Jones



Kelley 47	Kelly 144	King	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	St. Onge	Surface
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Whorton	Wilson 25	Wright	Mr. Speaker

PRESENT: 001

Richardson

ABSENT WITH LEAVE: 015

Ballard	Bartelsmeyer	Curls	Hartzler	Hendrickson
Johnson 61	Johnson 90	Koller	Linton	Lograsso
Long	Mays 50	Nordwald	Reynolds	Townley

VACANCIES: 001

On motion of Representative Bonner, **HCS HB 1112, as amended**, was adopted.

On motion of Representative Bonner, **HCS HB 1112, as amended**, was ordered perfected and printed by the following vote:

AYES: 114

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Clayton
Copenhaver	Crawford	Crump	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	McKenna	Merideth	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Paone	Portwood	Ransdall	Rector
Reid	Relford	Richardson	Rizzo	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 035

Bartle	Bearden	Behnen	Berkstresser	Boatright
Burcham	Byrd	Cierpiot	Cooper	Crowell
Cunningham	Enz	Froelker	Gaskill	Hanaway
Henderson	Hohulin	Hunter	Jetton	Kelly 144
King	Marble	Mayer	Miller	Murphy
Ostmann	Phillips	Purgason	Quinn	Reinhart
Ridgeway	Roark	Robirds	Shoemaker	Wright

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Bartelsmeyer	Curls	Hartzler	Hendrickson
Koller	Linton	Lograsso	Long	Mays 50
Nordwald	Reynolds	Townley		

VACANCIES: 001

**THIRD READING OF HOUSE BILLS - APPROPRIATIONS****HCS HB 1107**, relating to appropriations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HCS HB 1107** was read the third time and passed by the following vote:

AYES: 136

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Copenhaver	Crawford	Crowell	Crump
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Lawson	Legan	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 013

Boatright	Byrd	Cooper	Cunningham	Froelker
Griesheimer	Hanaway	Hohulin	Hunter	Murphy
Purgason	Roark	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Bartelsmeyer	Curls	Hartzler	Hendrickson
Koller	Linton	Lograsso	Long	Mays 50
Nordwald	Reynolds	Townley		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS HB 1108**, relating to appropriations, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **HCS HB 1108** was read the third time and passed by the following vote:

AYES: 136

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Lawson	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 012

Boatright	Burcham	Cunningham	Froelker	Graham
Griesheimer	Hanaway	Hunter	Jetton	Murphy
Purgason	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 014

Ballard	Bartelsmeyer	Byrd	Curls	Hartzler
Hendrickson	Koller	Linton	Lograsso	Long
Mays 50	Nordwald	Reynolds	Townley	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS HB 1109**, relating to appropriations, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **HCS HB 1109** was read the third time and passed by the following vote:

AYES: 136

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Lawson	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 010

Boatright	Cunningham	Froelker	Griesheimer	Hanaway
Hohulin	Hunter	Jetton	Purgason	Roark

PRESENT: 000

ABSENT WITH LEAVE: 016

Ballard	Bartelsmeyer	Byrd	Curls	Franklin
Hartzler	Hendrickson	Koller	Linton	Lograsso
Long	Mays 50	Nordwald	Reynolds	Shoemaker
Townley				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### THIRD READING OF HOUSE BILLS - CONSENT

**HB 1722**, relating to criminal procedure for mentally retarded, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1722** was read the third time and passed by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Ballard	Bartelsmeyer	Black	Burcham
Byrd	Curls	Davis	Green 15	Hartzler
Hendrickson	Hohulin	Koller	Linton	Lograsso
Long	Mays 50	Murphy	Nordwald	Reynolds
Townley	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1779**, relating to a special license plate, was taken up by Representative Green (73).

On motion of Representative Green (73), **HB 1779** was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Lawson	Legan	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Wilson 25

PRESENT: 002

Copenhaver                      Harding

ABSENT WITH LEAVE: 015

Ballard	Bartelsmeyer	Burcham	Curls	Harlan
Hartzler	Hendrickson	Koller	Linton	Lograsso
Long	Mays 50	Nordwald	Reynolds	Townley

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1788**, relating to a special license plate, was taken up by Representative Ross.

On motion of Representative Ross, **HB 1788** was read the third time and passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Wilson 25

PRESENT: 002

Copenhaver                  Harding

ABSENT WITH LEAVE: 018

Ballard	Bartelsmeyer	Burcham	Byrd	Crump
Curls	Harlan	Hartzler	Hendrickson	Holand
Koller	Linton	Lograsso	Long	Mays 50
Nordwald	Reynolds	Townley		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

**HB 1778**, relating to special license plates, was taken up by Representative Monaco.

On motion of Representative Monaco, **HB 1778** was read the third time and passed by the following vote:

AYES: 137

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Myers                          Smith                          Wilson 25



PRESENT: 002

Copenhaver                      Harding

ABSENT WITH LEAVE: 020

Ballard	Bartelsmeyer	Burcham	Byrd	Crump
Curls	Harlan	Hartzler	Hendrickson	Holand
Kelly 27	Koller	Linton	Lograsso	Long
Mays 50	Nordwald	Reynolds	Townley	Williams

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1789**, relating to a special license plate, was taken up by Representative Ross.

On motion of Representative Ross, **HB 1789** was read the third time and passed by the following vote:

AYES: 134

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Lawson	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 009

Bartle	Gambaro	Jolly	Legan	Monaco
Purgason	Richardson	Smith	Wilson 25	

PRESENT: 002

Copenhaver Harding

ABSENT WITH LEAVE: 017

Ballard	Bartelsmeyer	Burcham	Byrd	Curls
Harlan	Hartzler	Hendrickson	Holand	Koller
Linton	Lograsso	Long	Mays 50	Nordwald
Reynolds	Townley			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1314**, relating to a retired military license plate, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HB 1314** was read the third time and passed by the following vote:

AYES: 138

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boyd	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wright	Mr. Speaker		

NOES: 001

Wilson 25

PRESENT: 002

Copenhaver Harding

ABSENT WITH LEAVE: 021

Ballard	Bartelsmeyer	Burcham	Byrd	Curls
Graham	Harlan	Hartzler	Hendrickson	Holand
Koller	Linton	Lograsso	Long	Lowe
Mays 50	Nordwald	Ostmann	Reynolds	Townley
Wilson 42				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1632**, relating to a special license plate, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HB 1632** was read the third time and passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Liese	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Brooks Wilson 25

PRESENT: 002

Copenhaver Harding

ABSENT WITH LEAVE: 017

Ballard	Bartelsmeyer	Byrd	Curls	Harlan
Hartzler	Hendrickson	Holand	Koller	Linton
Lograsso	Long	Luetkemeyer	Mays 50	Nordwald
Reynolds	Townley			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1548**, relating to hearing screening for newborns, was taken up by Representative Barry.

On motion of Representative Barry, **HB 1548** was read the third time and passed by the following vote:

AYES: 144

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Lawson	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Bartelsmeyer	Byrd	Curls
Green 15	Harlan	Hartzler	Hendrickson	Holand
Koller	Linton	Lograsso	Long	Mays 50
Nordwald	Reynolds	Townley		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1473**, relating to health insurance, was taken up by Representative Green (15).

On motion of Representative Green (15), **HB 1473** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Ballard	Bartelsmeyer	Byrd	Curls	Hartzler
Hendrickson	Holand	Koller	Legan	Linton
Lograsso	Long	Mays 50	Nordwald	Purgason
Reynolds	Townley			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1781**, relating to nursing facility reimbursement allowance, was taken up by Representative Ladd Baker.

On motion of Representative Ladd Baker, **HB 1781** was read the third time and passed by the following vote:

AYES: 142

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Henderson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 005

Hegeman	Hohulin	Marble	Ridgeway	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 015

Ballard	Bartelsmeyer	Curls	Hartzler	Hendrickson
Holand	Koller	Linton	Lograsso	Long
Mays 50	Nordwald	Ostmann	Reynolds	Townley

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1194**, relating to liens on real property, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **HB 1194** was read the third time and passed by the following vote:

AYES: 088

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Daus	Davis
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Lawson
Liese	Lowe	Luetkenhaus	McKenna	Merideth
Monaco	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Ransdall	Reid	Relford	Richardson
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 059

Barnett	Bartle	Bearden	Behnen	Berkstresser
Black	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Gaskill	Griesheimer
Hanaway	Hegeman	Henderson	Hohulin	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Phillips	Portwood	Purgason	Quinn	Rector
Reinhart	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
Surface	Vogel	Willoughby	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 015

Ballard	Bartelsmeyer	Curls	Froelker	Hartzler
Hendrickson	Holand	Koller	Linton	Lograsso
Long	Mays 50	Nordwald	Reynolds	Townley

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1518**, relating to life insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HB 1518** was read the third time and passed by the following vote:

AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Murphy	Purgason	Williams
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PRESENT: 001

Fraser



ABSENT WITH LEAVE: 022

Baker	Ballard	Bartelsmeyer	Byrd	Crump
Curls	Froelker	Green 15	Hartzler	Hendrickson
Holand	Koller	Linton	Lograsso	Long
Lowe	Mays 50	Nordwald	Ostmann	Reynolds
Townley	Van Zandt			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1568**, relating to insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HB 1568** was read the third time and passed by the following vote:

AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Hohulin	Hunter	Murphy	Ostmann	Williams
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PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Ballard	Bartelsmeyer	Byrd	Curls
Froelker	Harlan	Hartzler	Hendrickson	Holand
Koller	Linton	Lograsso	Long	Lowe
Mays 50	Nordwald	Reinhart	Reynolds	Townley
Van Zandt				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1409**, relating to design - build contracts, was taken up by Representative Campbell.

Representative Campbell moved that **HB 1409** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 063

Baker	Barry 100	Berkowitz	Bonner	Boucher
Bray 84	Britt	Brooks	Campbell	Carnahan
Copenhaver	Daus	Davis	Dolan	Farnen
Foley	Franklin	Fraser	Gambara	George
Graham	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 90
Jolly	Kelly 27	Kelly 36	Liese	Lowe
McKenna	Merideth	Monaco	O'Toole	Overschmidt
Ransdall	Relford	Rizzo	Scheve	Seigfreid
Shelton	Shoemyer	Skaggs	Smith	Treadway
Troupe	Van Zandt	Villa	Wagner	Whorton
Williams	Willoughby	Wilson 25		

NOES: 076

Barnett	Barnitz	Bartle	Bearden	Behnen
Berkstresser	Black	Bland	Boatright	Bowman
Boykins	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Enz	Fares	Gaskill	Gratz
Griesheimer	Hanaway	Hegeman	Henderson	Hohulin
Hunter	Jetton	Johnson 61	Jones	Kelley 47
Kelly 144	King	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Selby	Shields
Shoemaker	St. Onge	Surface	Thompson	Vogel
Walker	Walton	Ward	Wilson 42	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 023

Abel	Ballard	Bartelsmeyer	Clayton	Crump
Curls	Froelker	Hartzler	Hendrickson	Holand
Koller	Lawson	Legan	Linton	Lograsso
Long	Mays 50	Nordwald	O'Connor	Ostmann
Paone	Reynolds	Townley		

VACANCIES: 001

**HB 1600**, relating to pool halls, was taken up by Representative Treadway.

On motion of Representative Treadway, **HB 1600** was read the third time and passed by the following vote:

AYES: 128

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Cooper
Copenhaver	Crawford	Crowell	Crump	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 36	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 011

Brooks	Cunningham	Henderson	Hohulin	Hunter
Johnson 61	Kelly 144	King	O'Toole	Purgason
Roark				

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Ballard	Bartelsmeyer	Byrd	Clayton
Curls	Froelker	Hartzler	Hendrickson	Holand
Kelly 27	Koller	Lawson	Legan	Linton
Lograsso	Long	Marble	Mays 50	Nordwald
Reynolds	Townley	Van Zandt		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1840**, relating to lobbyists' reports, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 1840** was read the third time and passed by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Ballard	Bartelsmeyer	Bray 84	Cierpiot
Curls	Froelker	Harding	Harlan	Hartzler
Hendrickson	Holand	Koller	Legan	Linton
Lograsso	Long	Mays 50	Nordwald	Reynolds
Townley	Van Zandt			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1504**, relating to requirements for special license plates, was taken up by Representative Liese.

On motion of Representative Liese, **HB 1504** was read the third time and passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Haywood	Wilson 25
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PRESENT: 000

## ABSENT WITH LEAVE: 021

Baker	Ballard	Bartelsmeyer	Burcham	Cierpiot
Curls	Froelker	Harlan	Hartzler	Hendrickson
Holand	Koller	Legan	Linton	Lograsso
Long	Mays 50	Nordwald	Reynolds	Townley
Van Zandt				

## VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1852**, relating to a special license plate, was taken up by Representative Villa.

On motion of Representative Villa, **HB 1852** was read the third time and passed by the following vote:

## AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

## NOES: 003

Bowman	Scheve	Wilson 25
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## PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 018

Baker	Ballard	Bartelsmeyer	Curls	Froelker
Harlan	Hartzler	Hendrickson	Holand	Koller
Legan	Linton	Lograsso	Long	Mays 50
Nordwald	Reynolds	Townley		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1755**, relating to a special license plate, was taken up by Representative Merideth.

On motion of Representative Merideth, **HB 1755** was read the third time and passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Hohulin	Wilson 25
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PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 019

Baker	Ballard	Bartelsmeyer	Curls	Froelker
Harlan	Hartzler	Hendrickson	Holand	Koller
Legan	Linton	Lograsso	Long	Mays 50
Nordwald	Phillips	Reynolds	Townley	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1861**, relating to conveyance in St. Francois County, was taken up by Representative Burcham.

On motion of Representative Burcham, **HB 1861** was read the third time and passed by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Lawson
Legan	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Treadway

PRESENT: 000



ABSENT WITH LEAVE: 021

Baker	Ballard	Bartelsmeyer	Black	Curls
Froelker	Harlan	Hartzler	Hendrickson	Holand
Kelly 27	Koller	Liese	Linton	Lograsso
Long	Mays 50	Monaco	Nordwald	Reynolds
Townley				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1032**, relating to the Board of Health, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 1032** was read the third time and passed by the following vote:

AYES: 134

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Gambaro	Gaskill	George	Graham
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	St. Onge	Surface
Thompson	Treadway	Troupe	Villa	Vogel
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Scheve	Smith	Williams
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PRESENT: 008

Campbell	Gratz	Hollingsworth	Kelly 27	McKenna
O'Toole	Van Zandt	Wagner		

ABSENT WITH LEAVE: 017

Ballard	Bartelsmeyer	Byrd	Curls	Franklin
Froelker	Hartzler	Hendrickson	Holander	Koller
Linton	Lograsso	Long	Mays 50	Nordwald
Reynolds	Townley			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1313**, relating to physical therapy, was taken up by Representative Burton.

On motion of Representative Burton, **HB 1313** was read the third time and passed by the following vote:

AYES: 136

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Lawson	Legan	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 007

Clayton	Cooper	Fares	Hohulin	Ostmann
Rizzo	Williams			

PRESENT: 000

ABSENT WITH LEAVE: 019

Ballard	Bartelsmeyer	Black	Brooks	Curls
Froelker	George	Hartzler	Hendrickson	Holand
Koller	Linton	Lograsso	Long	Mays 50
Monaco	Nordwald	Reynolds	Townley	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1862**, relating to a special license plate, was taken up by Representative May (149).

On motion of Representative May (149), **HB 1862** was read the third time and passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Wilson 25

PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 020

Baker	Ballard	Bartelsmeyer	Brooks	Curls
Froelker	Harlan	Hartzler	Hendrickson	Holand
Koller	Linton	Lograsso	Long	Mays 50
Nordwald	Reynolds	St. Onge	Townley	Whorton

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1986**, relating to governing boards, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1986** was read the third time and passed by the following vote:

AYES: 124

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crump
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Lawson	Liese	Lowe	Luetkenhaus	Marble
Marsh	McKenna	Merideth	Miller	Monaco
Moore	Naeger	O'Connor	O'Toole	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Whorton	Williams
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 019

Cooper	Crowell	Cunningham	Hohulin	Hunter
Jetton	Legan	Luetkemeyer	May 149	Mayer
Murphy	Myers	Ostmann	Purgason	Richardson
Scott	Shoemaker	Smith	St. Onge	

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 018

Ballard	Bartelsmeyer	Carnahan	Curls	Froelker
Green 73	Hartzler	Hendrickson	Holand	Koller
Linton	Lograsso	Long	Mays 50	Nordwald
Reynolds	Townley	Ward		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1196**, relating to the Highways and Transportation Department, was taken up by Representative Barnett.

On motion of Representative Barnett, **HB 1196** was read the third time and passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 020

Ballard	Bartelsmeyer	Cierpiot	Curls	Froelker
George	Green 15	Green 73	Hartzler	Hendrickson
Holand	Koller	Linton	Lograsso	Long
Mays 50	Nordwald	Reynolds	Townley	Van Zandt

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1041**, relating to tourism taxes, was taken up by Representative Myers.

On motion of Representative Myers, **HB 1041** was read the third time and passed by the following vote:

AYES: 139

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Smith	Williams
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PRESENT: 000

ABSENT WITH LEAVE: 021

Ballard	Bartelsmeyer	Cierpiot	Crump	Curls
Froelker	Green 15	Green 73	Hartzler	Hendrickson
Holand	Koller	Linton	Lograsso	Long
Mays 50	Nordwald	Reynolds	Scheve	Skaggs
Townley				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1953**, relating to the Department of Health Advisory Committee, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **HB 1953** was read the third time and passed by the following vote:

AYES: 140

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Lawson	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Cunningham	Hohulin	Kelly 144
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PRESENT: 000

ABSENT WITH LEAVE: 019

Ballard	Bartelsmeyer	Byrd	Curls	Froelker
Green 73	Hartzler	Hendrickson	Holand	Koller
Legan	Linton	Lograsso	Long	Mays 50
Nordwald	Reynolds	Townley	Walker	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 2025**, relating to a special license plate, was taken up by Representative Walton.

On motion of Representative Walton, **HB 2025** was read the third time and passed by the following vote:

AYES: 137

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkstresser	Bland
Boatright	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harlan	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Whorton	Williams	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Ward	Wilson 25
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PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 021

Ballard	Bartelsmeyer	Berkowitz	Black	Bowman
Curls	Froelker	Green 73	Hartzler	Hendrickson
Holand	Koller	Linton	Lograsso	Long
Mays 50	Nordwald	Reynolds	Scheve	Skaggs
Townley				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 2123**, relating to a special license plate, was taken up by Representative Barry.

On motion of Representative Barry, **HB 2123** was read the third time and passed by the following vote:

AYES: 131

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Hagan-Harrell	Hampton
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Wilson 25

PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 028

Ballard	Bartelsmeyer	Bowman	Curls	Froelker
Green 73	Griesheimer	Hanaway	Harlan	Hartzler
Haywood	Hendrickson	Holand	Hollingsworth	Hunter
Kelly 27	Koller	Linton	Lograsso	Long
Mays 50	Myers	Nordwald	Ransdall	Reynolds
Townley	Vogel	Williams		

VACANCIES: 001

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**HB 1872**, relating to watercraft regulations, was placed on the Informal Calendar.

**HB 1881**, relating to driver's license, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HB 1881** was read the third time and passed by the following vote:

AYES: 117

Abel	Barnett	Barry 100	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Bland	Bonner
Boucher	Boykins	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Gambaro	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Miller	Monaco	Moore	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Smith	St. Onge
Surface	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Whorton	Willoughby
Wright	Mr. Speaker			

NOES: 017

Barnitz	Black	Boatright	Bray 84	Byrd
Cierpiot	Daus	Fraser	Gaskill	Hunter
King	Merideth	Myers	Purgason	Williams
Wilson 25	Wilson 42			

PRESENT: 000

ABSENT WITH LEAVE: 028

Baker	Ballard	Bartelsmeyer	Bowman	Burcham
Crump	Curls	Froelker	Green 73	Harlan
Hartzler	Hendrickson	Holand	Koller	Lawson
Linton	Lograsso	Long	Mays 50	Murphy
Nordwald	Reynolds	Scheve	Skaggs	Thompson
Townley	Van Zandt	Ward		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Johnson (90) assumed the Chair.

**HB 2008**, relating to powersport dealers, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HB 2008** was read the third time and passed by the following vote:

AYES: 093

Abel	Barry 100	Bartle	Behnen	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Crump
Daus	Davis	Dolan	Fares	Farnen
Foley	Franklin	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Liese
Lowe	Luetkenhaus	Marsh	May 149	Mayer
McKenna	Merideth	Monaco	Moore	Myers
O'Connor	O'Toole	Overschmidt	Paone	Portwood
Ransdall	Reid	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Scott
Seigfreid	Selby	Shelton	Shoemyer	Smith
St. Onge	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walton	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 047

Barnett	Barnitz	Bearden	Berkstresser	Black
Boatright	Bray 84	Byrd	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Dempsey	Enz
Fraser	Gaskill	Hanaway	Harding	Hegeman
Henderson	Hohulin	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Luetkemeyer	Marble
Miller	Murphy	Naeger	Phillips	Purgason
Quinn	Rector	Reinhart	Roark	Schwab
Secrest	Shields	Shoemaker	Surface	Walker
Whorton	Wilson 25			

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Ballard	Bartelsmeyer	Curls	Froelker
Harlan	Hartzler	Hendrickson	Holand	Koller
Lawson	Linton	Lograsso	Long	Mays 50
Nordwald	Ostmann	Reynolds	Skaggs	Thompson
Townley	Ward			

VACANCIES: 001

Representative Johnson (90) declared the bill passed.

**HB 1837**, relating to ethanol producer incentive fund, was taken up by Representative Berkowitz.

On motion of Representative Berkowitz, **HB 1837** was read the third time and passed by the following vote:

AYES: 132

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Smith	St. Onge	Surface	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Jones

PRESENT: 000

ABSENT WITH LEAVE: 029

Baker	Ballard	Bartelsmeyer	Boatright	Curls
Froelker	Green 15	Green 73	Harlan	Hartzler
Hendrickson	Holand	Hunter	Koller	Lawson
Linton	Lograsso	Long	Mays 50	Nordwald
Ostmann	Reynolds	Richardson	Scheve	Skaggs
Thompson	Townley	Van Zandt	Ward	

VACANCIES: 001

Representative Johnson (90) declared the bill passed.

**HB 2031**, relating to licensing of motor vehicle dealers, was taken up by Representative O'Connor.

Representative O'Connor moved that **HB 2031** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 043

Abel	Barry 100	Bland	Bonner	Bowman
Boykins	Campbell	Carnahan	Clayton	Daus
Davis	Farnen	Foley	Franklin	Gambaro
George	Graham	Green 15	Hagan-Harrell	Haywood
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Johnson 61	Jolly	Jones	Kelly 27	Kelly 36
Liese	Lowe	McKenna	Monaco	O'Connor
Ransdall	Relford	Rizzo	Shelton	Troupe
Villa	Wagner	Mr. Speaker		

NOES: 091

Barnett	Barnitz	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Boucher
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Dempsey
Dolan	Enz	Fares	Fraser	Gaskill
Gratz	Griesheimer	Hampton	Hanaway	Harding
Hegeman	Henderson	Hohulin	Holt	Hunter
Johnson 90	Kelley 47	Kelly 144	King	Legan
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Merideth	Miller	Moore	Murphy
Myers	Naeger	O'Toole	Paone	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	St. Onge
Surface	Treadway	Van Zandt	Vogel	Walker
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

PRESENT: 001

Walton

ABSENT WITH LEAVE: 027

Baker	Ballard	Bartelsmeyer	Curls	Froelker
Green 73	Harlan	Hartzler	Hendrickson	Holand
Jetton	Koller	Lawson	Linton	Lograsso
Long	Mays 50	Nordwald	Ostmann	Overschmidt
Reynolds	Scheve	Skaggs	Smith	Thompson
Townley	Ward			

VACANCIES: 001

Speaker Pro Tem Abel resumed the Chair.

**HB 1838**, relating to motor vehicle and watercraft dealers, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1838** was read the third time and passed by the following vote:

AYES: 123

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Franklin	Fraser
Gaskill	George	Graham	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Paone	Phillips	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	St. Onge
Surface	Treadway	Villa	Vogel	Wagner
Walker	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 005

Cooper	Foley	Gratz	King	Purgason
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PRESENT: 001

Walton

ABSENT WITH LEAVE: 033

Baker	Ballard	Bartelsmeyer	Crump	Curls
Froelker	Gambaro	Green 73	Harlan	Hartzler
Haywood	Hendrickson	Holand	Jetton	Kelly 27
Koller	Lawson	Linton	Lograsso	Long
Mays 50	Nordwald	Ostmann	Portwood	Reynolds
Scheve	Skaggs	Smith	Thompson	Townley
Troupe	Van Zandt	Ward		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2047**, relating to students on active military service, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HB 2047** was read the third time and passed by the following vote:

AYES: 133

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	St. Onge	Surface	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 029

Baker	Ballard	Bartelsmeyer	Britt	Curls
Froelker	Green 73	Harlan	Hartzler	Haywood
Hendrickson	Holand	Koller	Lawson	Linton
Lograsso	Long	Mays 50	Nordwald	Ostmann
Portwood	Reynolds	Scheve	Skaggs	Smith
Thompson	Townley	Van Zandt	Ward	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2009**, relating to licensure of motor vehicle dealers, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HB 2009** was read the third time and passed by the following vote:

AYES: 096

Abel	Barnett	Barry 100	Bartle	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Copenhaver
Crowell	Crump	Daus	Davis	Dolan
Enz	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Harding
Hegeman	Henderson	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	Legan	Liese	Lowe	Luetkenhaus
Marsh	Mayer	McKenna	Moore	O'Connor
O'Toole	Overschmidt	Paone	Ransdall	Rector
Reid	Relford	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	St. Onge	Surface
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 035

Barnitz	Bearden	Behnen	Berkowitz	Berkstresser
Black	Burcham	Cooper	Crawford	Cunningham
Dempsey	Fares	Hanaway	Hohulin	Hunter
Kelly 144	King	Luetkemeyer	Marble	May 149
Merideth	Miller	Murphy	Myers	Naeger
Phillips	Purgason	Quinn	Reinhart	Roark
Schwab	Shoemaker	Shoemyer	Whorton	Wright

PRESENT: 002

Brooks	Walton
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ABSENT WITH LEAVE: 029

Baker	Ballard	Bartelsmeyer	Curls	Froelker
Green 73	Harlan	Hartzler	Haywood	Hendrickson
Holand	Koller	Lawson	Linton	Lograsso
Long	Mays 50	Monaco	Nordwald	Ostmann
Portwood	Reynolds	Scheve	Skaggs	Smith
Thompson	Townley	Van Zandt	Ward	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1867**, relating to a special license plate, was taken up by Representative Griesheimer.

On motion of Representative Griesheimer, **HB 1867** was read the third time and passed by the following vote:

AYES: 129

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Paone	Phillips	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
St. Onge	Surface	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Wilson 25

PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 030

Baker	Ballard	Bartelsmeyer	Byrd	Curls
Froelker	Green 73	Harlan	Hartzler	Haywood
Hendrickson	Holand	Koller	Lawson	Linton
Lograsso	Long	Mays 50	Nordwald	Ostmann
Portwood	Reynolds	Robirds	Skaggs	Smith
Thompson	Townley	Van Zandt	Walton	Ward

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2022**, relating to community college rates, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 2022** was read the third time and passed by the following vote:

AYES: 131

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hampton	Hanaway	Harding	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Legan	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Paone	Phillips	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
St. Onge	Surface	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 030

Baker	Ballard	Bartelsmeyer	Curls	Froelker
Green 73	Hagan-Harrell	Harlan	Hartzler	Haywood
Hendrickson	Holand	Kelly 27	Koller	Lawson
Linton	Lograsso	Long	Mays 50	Nordwald
Ostmann	Portwood	Reynolds	Scheve	Skaggs
Smith	Thompson	Townley	Van Zandt	Ward

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1969**, relating to special license plates, was taken up by Representative Reid.

On motion of Representative Reid, **HB 1969** was read the third time and passed by the following vote:

AYES: 131

Abel	Barnett	Barry 100	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Paone	Phillips	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	St. Onge	Surface	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Whorton	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Barnitz	Wilson 25
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PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 027

Baker	Ballard	Bartelsmeyer	Curls	Froelker
Green 73	Harlan	Hartzler	Haywood	Hendrickson
Holand	Koller	Lawson	Linton	Lograsso
Long	Mays 50	Nordwald	Ostmann	Portwood
Reynolds	Skaggs	Smith	Thompson	Townley
Van Zandt	Ward			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2039**, relating to memorial streets and roads, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 2039** was read the third time and passed by the following vote:

AYES: 131

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hegeman	Henderson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Overschmidt
Paone	Phillips	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Smith	St. Onge	Surface	Treadway	Villa
Vogel	Wagner	Walker	Walton	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 031

Baker	Ballard	Bartelsmeyer	Bray 84	Curls
Froelker	Green 73	Harlan	Hartzler	Haywood
Hendrickson	Hohulin	Holand	Johnson 61	Kelly 144

Koller	Lawson	Linton	Lograsso	Long
Mays 50	Nordwald	Ostmann	Portwood	Reynolds
Skaggs	Thompson	Townley	Troupe	Van Zandt
Ward				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2002**, relating to coroner's inquest, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 2002** was read the third time and passed by the following vote:

AYES: 129

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hegeman	Henderson
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Toole	Overschmidt	Paone
Phillips	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	St. Onge	Surface
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Cierpiot	Ridgeway
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PRESENT: 000

ABSENT WITH LEAVE: 031

Baker	Ballard	Bartelsmeyer	Burcham	Curls
Froelker	Green 73	Hartzler	Haywood	Hendrickson
Hickey	Hohulin	Holand	Koller	Lawson
Linton	Lograsso	Long	Mays 50	Murphy

Nordwald  
Skaggs  
Ward

O'Connor  
Smith

Ostmann  
Thompson

Portwood  
Townley

Reynolds  
Van Zandt

VACANCIES: 001

Speaker Abel declared the bill passed.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 39**, introduced by Representative Campbell, et al, relating to the Department of Insurance.

### **COMMITTEE ASSIGNMENTS**

The Speaker submitted the following Committee assignments:

Representative Jones has been appointed a member of the Agriculture Committee, Appropriations-Education Committee, Children, Families and Health Committee, Municipal Corporations Committee, Professional Registration Committee and the Public Safety, Law Enforcement and Veteran Affairs Committee.

Representative Walker has been appointed a member of the Appropriations-Corrections and Public Safety Committee, Children, Families and Health Committee, Civil and Administrative Law Committee, Conservation, State Parks and Mining Committee, Correctional and State Institutions Committee and the Tourism, Recreation and Cultural Affairs Committee.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 9:00 a.m., Friday, April 5, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Forty-fifth Day, Wednesday, April 3, 2002, pages 803 and 804, roll call, by showing Representative Berkstresser voting "aye" rather than "absent with leave".

Pages 804 and 805, roll call, by showing Representative Berkstresser voting "no" rather than "absent with leave".

Pages 806 and 807, roll call, by showing Representatives Berkstresser and Surface voting "aye" rather than "absent with leave".

Pages 806 and 807, roll call, by showing Representative McKenna voting "no" rather than "absent with leave".

Pages 807 and 808, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Pages 807 and 808, roll call, by showing Representatives Berkstresser and Quinn voting "no" rather than "absent with leave".

Pages 810 and 811, roll call, by showing Representatives Berkstresser and Naeger voting "aye" rather than "absent with leave".

Pages 812 and 813, roll call, by showing Representative St. Onge voting "aye" rather than "absent with leave".

Pages 815 and 816, roll call, by showing Representatives Champion and Wilson (42) voting "aye" rather than "absent with leave".

Pages 817 and 818, roll call, by showing Representative Kelly (144) voting "aye" rather than "absent with leave".

Pages 818 and 819, roll call, by showing Representatives Purgason and Ransdall voting "aye" rather than "absent with leave".

Pages 820 and 821, roll call, by showing Representative Berkstresser voting "aye" rather than "absent with leave".

Pages 821 and 822, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Pages 825 and 826, roll call, by showing Representative Ward voting "aye" rather than "no".

Pages 825 and 826, roll call, by showing Representatives McKenna and Reinhart voting "no" rather than "absent with leave".

Pages 825 and 826, roll call, by showing Representative Hampton voting "present" rather than "absent with leave".

Pages 826 and 827, roll call, by showing Representative Hampton voting "aye" rather than "absent with leave".

Page 828, roll call, by showing Representative Hampton voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, April 9, 2002. Hearing Room 6 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: HB 1610, HB 1965, HB 2000

### **FISCAL REVIEW AND GOVERNMENT REFORM**

Monday, April 8, 2002, 1:30 p.m. Hearing Room 6.

Public Hearing to be held on: HB 1915, HJR 56

Executive Session to be held on: HB 1306, HB 1392, HB 1461, HB 1926

### **MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, April 9, 2002. Hearing Room 1. Upon morning adjournment AMENDED.

Executive Session may or may not follow.

Public Hearing to be held on: HB 1448, HB 1543, HB 1763, HB 1908, HB 2042, HB 2133

## **HOUSE CALENDAR**

FORTY-SEVENTH DAY, FRIDAY, APRIL 5, 2002

### **HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 39

### **HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 1114 - Green (73)

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1654 & 1156 - Hosmer
- 2 HCS HB 1502 & 1821 - Luetkenhaus
- 3 HB 1455 - O'Toole
- 4 HCS HB 1735 - Hoppe
- 5 HB 1058 - Haywood
- 6 HCS HB 1756 - Reid
- 7 HCS HB 1443 - Barry
- 8 HB 1489 - Britt
- 9 HCS HB 1692 - Overschmidt
- 10 HB 1460 - Hilgemann
- 11 HB 1488 - Skaggs
- 12 HCS HB 1509 & 1510 - Curls
- 13 HB 1850 - O'Toole



- 14 HB 1869 - Barry
- 15 HCS HB 1143 - Rizzo
- 16 HCS HB 1888 - Barnitz

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker
- 4 HB 1773, as amended - Shelton

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HS HCS HB 1392, (Fiscal Review 3-18-02) - Davis
- 4 HB 1679 - Crump
- 5 HB 1306, E.C. (Fiscal Review 4-2-02) - Williams
- 6 HB 1926, E.C. (Fiscal Review 4-2-02) - Fraser

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1643 - Holand
- 2 HB 2080 - Britt
- 3 HB 1537 - Clayton
- 4 HB 1674 - O'Toole
- 5 HB 1757, E.C. - George
- 6 HB 1635 - Hoppe
- 7 HB 1659 - Kelly (27)
- 8 HB 2130 - Boykins
- 9 HB 2026 - Green (15)
- 10 HB 1937 - Barry
- 11 HB 1811 - Gambaro
- 12 HB 1973 - Bowman
- 13 HB 2023 - Franklin
- 14 HB 2064 - Walton
- 15 HB 1964 - Gambaro
- 16 HB 1085 - Mays (50)

- 17     HB 2155 - Willoughby
- 18     HB 1812 - Riback Wilson (25)
- 19     HB 1839 - Seigfreid
- 20     HB 1776 - Harlan
- 21     HB 1636 - Hoppe
- 22     HB 1148 - Ross
- 23     HB 1645 - Griesheimer
- 24     HB 2018 - Bartle
- 25     HB 2001 - Hegeman
- 26     HB 1580 - Barnett
- 27     HB 1982 - Richardson
- 28     HB 1846 - Scott
- 29     HB 1903 - Liese
- 30     HB 2087 - Whorton
- 31     HB 1955 - Hilgemann
- 32     HB 1701 - Luetkenhaus
- 33     HB 2117 - Boucher
- 34     HB 2032 - Hosmer
- 35     HB 2062 - Hosmer
- 36     HB 1921 - Green (73)
- 37     HB 1803 - Green (73)
- 38     HB 2029 - Hosmer
- 39     HB 1890 - Hilgemann
- 40     HB 2120 - Ridgeway
- 41     HB 1715 - Moore

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 1872 - Hosmer

**BILL CARRYING REQUEST MESSAGES**

SCS HCS HB 1115, (req. Senate recede/grant conference) - Green (73)

**HOUSE RESOLUTION**

HR 341, (3-7-02, page 518) - Ladd Baker

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTY-SEVENTH DAY, FRIDAY, APRIL 5, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

O Lord who art holy beyond our telling with whom we dare not trifle:

Bless with Your grace the deliberations of this House. We acknowledge our shortcomings and freely seek Your pardon. Create within us clean hearts, and renew right spirits. Sharpen both mind and heart for the business before the House and give to these servants of Missouri the unfailing conviction that with You all things are possible.

Grant to each, this day, that which is needed for faithful service, good patience and the gift of humor. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bryce Shields, Jordan Jones and Kegan Barett.

The Journal of the forty-sixth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1134

through

House Resolution No. 1136 - Representative Bartle

House Resolution No. 1137 - Representative Bearden

House Resolution No. 1138 - Representative Murphy

House Resolution No. 1139 - Representative Kreider

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 39** was read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1110, HCS HB 1111 and HCS HB 1112**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Speaker Pro Tem Abel assumed the Chair.

### THIRD READING OF HOUSE BILLS - CONSENT

**HB 1643**, relating to medical records, was taken up by Representative Holand.

On motion of Representative Holand, **HB 1643** was read the third time and passed by the following vote:

AYES: 148

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Ballard	Bartelsmeyer	Boykins	Hartzler
Hendrickson	Lawson	Lograsso	Long	Mays 50
Nordwald	Reynolds	Van Zandt	Wilson 42	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2080**, relating to retirement benefits for prosecutors, was taken up by Representative Britt.

On motion of Representative Britt, **HB 2080** was read the third time and passed by the following vote:

AYES: 146

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Koller	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Bartelsmeyer	Boykins	Hartzler
Hendrickson	Hohulin	Kelly 27	Lawson	Lograsso

Long	Mays 50	Nordwald	Reynolds	Van Zandt
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1537**, relating to small estate administration, was taken up by Representative Clayton.

On motion of Representative Clayton, **HB 1537** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Haywood
Hegeman	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Koller
Legan	Liese	Linton	Lowe	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 003

Henderson	King	Luetkemeyer
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PRESENT: 000

ABSENT WITH LEAVE: 012

Bartelsmeyer	Boykins	Hartzler	Hendrickson	Lawson
Lograsso	Long	Mays 50	Nordwald	Reynolds
Van Zandt	Wilson 42			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1674**, relating to public retirement plans, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 1674** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bartelsmeyer	Boykins	Bray 84	Crowell	Hartzler
Hendrickson	Lawson	Lograsso	Long	Mays 50
Nordwald	Reid	Reynolds	Van Zandt	Wilson 42

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1757**, relating to liquor license, was taken up by Representative George.

On motion of Representative George, **HB 1757** was read the third time and passed by the following vote:

AYES: 116

Abel	Barnitz	Barry 100	Bearden	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Cierpiot	Clayton
Copenhaver	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hanaway	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Koller	Liese	Long	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	McKenna	Merideth
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Portwood
Quinn	Ransdall	Reinhart	Relford	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Mr. Speaker				

NOES: 030

Ballard	Barnett	Bartle	Behnen	Boatright
Champion	Cooper	Crawford	Crowell	Enz
Hegeman	Henderson	Holand	Hunter	Kelley 47
Kelly 144	King	Legan	Linton	Marble
Mayer	Miller	Murphy	Phillips	Purgason
Rector	Richardson	Roark	Scott	Wright

PRESENT: 001

Reid

ABSENT WITH LEAVE: 015

Baker	Bartelsmeyer	Boykins	Byrd	Hampton
Hartzler	Hendrickson	Hohulin	Lawson	Lograsso
Mays 50	Nordwald	Reynolds	Van Zandt	Wilson 42

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was defeated by the following vote:



AYES: 087

Abel	Barry 100	Berkowitz	Bland	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Byrd	Campbell	Carnahan	Cierpiot
Clayton	Crump	Curls	Daus	Davis
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Koller	Liese
Lowe	Luetkenhaus	Marsh	McKenna	Monaco
O'Toole	Ostmann	Overschmidt	Paone	Ransdall
Relford	Ridgeway	Rizzo	Robirds	Scheve
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Mr. Speaker			

NOES: 058

Ballard	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burton
Champion	Cooper	Crawford	Crowell	Cunningham
Dempsey	Enz	Hanaway	Hegeman	Henderson
Holand	Hoppe	Hosmer	Hunter	Jetton
Kelley 47	Kelly 144	Kelly 36	King	Legan
Linton	Long	Luetkemeyer	Marble	May 149
Mayer	Merideth	Miller	Moore	Murphy
Myers	Naeger	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Richardson	Roark
Ross	Schwab	Scott	Shoemaker	Shoemyer
St. Onge	Townley	Wright		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Copenhaver	Hampton
Hartzler	Hendrickson	Hohulin	Lawson	Lograsso
Mays 50	Nordwald	O'Connor	Reynolds	Van Zandt
Wilson 42				

VACANCIES: 001

**HB 1659**, relating to court administration, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **HB 1659** was read the third time and passed by the following vote:

AYES: 141

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Ballard	Bartelsmeyer	Berkowitz	Boykins
Green 15	Harlan	Hartzler	Hendrickson	Hohulin
Lawson	Lograsso	Mays 50	Murphy	Nordwald
O'Connor	Reynolds	Townley	Van Zandt	Williams
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2130**, relating to property tax, was taken up by Representative Villa.

On motion of Representative Villa, **HB 2130** was read the third time and passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Koller	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 000

PRESENT: 001

Reid

ABSENT WITH LEAVE: 016

Bartelsmeyer	Boykins	Green 73	Harlan	Hartzler
Hendrickson	Hohulin	Kelly 27	Lawson	Lograsso
Mays 50	Nordwald	Reynolds	Van Zandt	Williams
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2026**, relating to a memorial bridge, was taken up by Representative Green (15).

On motion of Representative Green (15), **HB 2026** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Burcham	Harlan
Hartzler	Hendrickson	Hohulin	Lawson	Lograsso
Mays 50	Nordwald	Reynolds	Van Zandt	Williams
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1937**, relating to perfusion, was taken up by Representative Barry.

On motion of Representative Barry, **HB 1937** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Carnahan	Foley
Harlan	Hartzler	Hendrickson	Hohulin	Lawson
Lograsso	Mays 50	Nordwald	Reynolds	Williams
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1811**, relating to conveyance in St. Louis City, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **HB 1811** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Bartelsmeyer	Boykins	Cierpiot	Crump
Curls	Harlan	Hartzler	Hendrickson	Hohulin
Lawson	Lograsso	Mays 50	Myers	Nordwald
Reynolds	Williams	Wilson 42		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1973**, relating to economics and personal finance education, was taken up by Representative Bowman.

On motion of Representative Bowman, **HB 1973** was read the third time and passed by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Liese
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Whorton	Williams	Willoughby	Wright	Mr. Speaker

NOES: 011

Bearden	Bray 84	Copenhaver	Fraser	Legan
Linton	Purgason	Seigfreid	Van Zandt	Ward
Wilson 25				

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Green 73	Harlan
Hartzler	Hendrickson	Hohulin	Lawson	Lograsso
Luetkenhaus	Mays 50	Nordwald	Reynolds	Smith
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2023**, relating to special education resolution conferences, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 2023** was read the third time and passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Boykins	Green 73	Harlan
Hartzler	Hendrickson	Hohulin	Lograsso	Mays 50
Nordwald	Reynolds	Wilson 42		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2064**, relating to tax foreclosure sales, was taken up by Representative Walton.

On motion of Representative Walton, **HB 2064** was read the third time and passed by the following vote:



AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Bartelsmeyer	Boykins	Franklin	Harlan
Hartzler	Hendrickson	Hohulin	Kelley 47	Lawson
Lograsso	Mays 50	Nordwald	Reynolds	Wilson 42

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1964**, relating to neighborhood association, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **HB 1964** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambara	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Cierpiot	Franklin
Gaskill	Green 73	Harlan	Hartzler	Hendrickson
Hohulin	Lograsso	Mays 50	Nordwald	Reynolds
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1085**, relating to drainage districts, was taken up by Representative Britt.

On motion of Representative Britt, **HB 1085** was read the third time and passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Franklin	Fraser	Froelker	Gambara
Gaskill	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Boykins	Foley	George
Hartzler	Hendrickson	Hohulin	Lograsso	Mays 50
Nordwald	Reynolds	Wilson 42		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1812**, relating to the health services document fund, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HB 1812** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Whorton	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 004

Burcham	Cunningham	Purgason	Ward
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PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Bartelsmeyer	Black	Boykins	Carnahan
Green 73	Hartzler	Hendrickson	Hohulin	Kelly 27
Lograsso	Mays 50	Nordwald	Reynolds	Wilson 22

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1839**, relating to special road districts, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HB 1839** was read the third time and passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Boykins	Hartzler	Hendrickson
Hohulin	Lograsso	Mays 50	Nordwald	Reynolds
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1776**, relating to county recorder of deeds, was taken up by Representative Harlan.

On motion of Representative Harlan, **HB 1776** was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 001

Shoemaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Boykins	Copenhaver	Hartzler
Hendrickson	Hohulin	Lograsso	Mays 50	Murphy
Nordwald	Reynolds	Wilson 42		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1636**, relating to election authority verification boards, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HB 1636** was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 002

Murphy                      Smith

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Boykins	Dempsey	Hartzler
Hendrickson	Hohulin	Lograsso	Mays 50	Nordwald
Reynolds	Wilson 42			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1148**, relating to cemeteries, was taken up by Representative Ross.

On motion of Representative Ross, **HB 1148** was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Reid

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Boykins	Copenhaver	Hartzler
Hendrickson	Hohulin	Lograsso	Long	Mays 50
Nordwald	Reynolds	Wilson 42		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1645**, relating to Henry Shaw Ozark Corridor, was taken up by Representative Griesheimer.

On motion of Representative Griesheimer, **HB 1645** was read the third time and passed by the following vote:



AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bartelsmeyer	Boykins	Copenhaver	Hartzler
Hendrickson	Hohulin	Lograsso	Long	Mays 50
Nordwald	Reynolds	Wilson 42		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2018**, relating to tax books for school districts, was taken up by Representative Bartle.

On motion of Representative Bartle, **HB 2018** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Bartelsmeyer	Boykins	Copenhaver	Crump
Harlan	Hartzler	Hendrickson	Hohulin	Hunter
Lograsso	Long	Mays 50	Nordwald	Reynolds
St. Onge	Williams	Wilson 42		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2001**, relating to diversion agreements, was taken up by Representative Hegeman.

On motion of Representative Hegeman, **HB 2001** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Byrd	Cierpiot
Crump	Harlan	Hartzler	Hendrickson	Hohulin
Lograsso	Mays 50	Nordwald	Reynolds	Williams
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1580**, relating to county board of equalization, was taken up by Representative Barnett.

On motion of Representative Barnett, **HB 1580** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Bartelsmeyer	Boykins	Cierpiot	Crump
Franklin	Harlan	Hartzler	Hendrickson	Hohulin
Lograsso	Mays 50	Murphy	Nordwald	Reynolds
Williams	Wilson 42			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1982**, relating to county assessors, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 1982** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Cierpiot	Crump
Harlan	Hartzler	Hendrickson	Hohulin	Lograsso
Mays 50	McKenna	Nordwald	Reynolds	Williams
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1846**, relating to villages, was taken up by Representative Scott.

On motion of Representative Scott, **HB 1846** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Bartelsmeyer	Boykins	Cierpiot	Cooper
Crump	Harlan	Hartzler	Hendrickson	Hohulin
Liese	Lograsso	Marble	Mays 50	Nordwald
Reynolds	Williams	Wilson 42		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1903**, relating to reinsurance, was taken up by Representative Liese.

On motion of Representative Liese, **HB 1903** was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Boykins	Harlan	Hartzler
Hendrickson	Hohulin	Lograsso	Mays 50	Nordwald
O'Connor	Reynolds	Williams	Wilson 42	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2087**, relating to energy efficiency projects, was taken up by Representative Whorton.

On motion of Representative Whorton, **HB 2087** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 001

O'Connor

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Bartelsmeyer	Boykins	Harlan	Hartzler
Hendrickson	Hickey	Hohulin	Lograsso	Lowe
Mays 50	Nordwald	Reynolds	Williams	Wilson 42

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1955**, relating to victim's rights, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **HB 1955** was read the third time and passed by the following vote:



AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Boykins	Hartzler	Hendrickson
Hohulin	Lograsso	Mays 50	Nordwald	Reynolds
Williams	Wilson 42			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1701**, relating to long-term care insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HB 1701** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 001

Smith

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Foley	Harlan
Hartzler	Hendrickson	Hohulin	Linton	Lograsso
Mays 50	Nordwald	Ostmann	Reynolds	Williams
Wilson 42				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2117**, relating to assistive technology advisory council, was taken up by Representative Boucher.

On motion of Representative Boucher, **HB 2117** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Whorton
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 001

Ward

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Bartelsmeyer	Boykins	Harlan	Hartzler
Hendrickson	Hickey	Hohulin	Kelly 27	Lograsso
Long	Mays 50	Nordwald	Phillips	Reynolds
Williams	Wilson 42			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 2032**, relating to driving while revoked, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 2032** was read the third time and passed by the following vote:

AYES: 108

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dolan	Farnen	Franklin	Gambaro	Gaskill
George	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jones	Kelley 47
Kelly 27	Kelly 36	Koller	Lawson	Legan
Liese	Linton	Lowe	Luetkenhaus	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Monaco	Moore	Murphy	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Rizzo	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Ward	Whorton
Willoughby	Wilson 25	Mr. Speaker		

NOES: 035

Bearden	Black	Bland	Boatright	Byrd
Cierpiot	Clayton	Cooper	Copenhaver	Crowell
Dempsey	Enz	Fares	Foley	Fraser
Froelker	Graham	Gratz	Green 73	Hickey
Holt	Hunter	Kelly 144	King	Long
Luetkemeyer	Marble	Myers	Naeger	Quinn
Roark	St. Onge	Troupe	Walton	Wright

PRESENT: 002

Brooks	Purgason
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ABSENT WITH LEAVE: 017

Baker	Bartelsmeyer	Boykins	Harlan	Hartzler
Hendrickson	Hohulin	Jolly	Lograsso	Mays 50
Nordwald	O'Connor	Reynolds	Ridgeway	Schwab
Williams	Wilson 42			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

**HB 2062**, relating to restricted driving privileges, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 2062** was read the third time and passed by the following vote:

AYES: 137

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 008

Burcham	Crowell	Graham	Hickey	Myers
Naeger	Shoemyer	Troupe		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Byrd	Harlan
Hartzler	Hendrickson	Hohulin	Lograsso	Mays 50
Nordwald	Paone	Reynolds	Schwab	Williams
Wilson 42				

VACANCIES: 001

Speaker Kreider declared the bill passed.

## SUPPLEMENTAL CALENDAR

April 5, 2002

### HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 1110 - Riback Wilson (25)

HCS HB 1111 - Troupe

HCS HB 1112 - Bonner

### THIRD READING OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 1110**, relating to appropriations, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **HCS HB 1110** was read the third time and passed by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 010

Bartle	Crawford	Froelker	Griesheimer	Hanaway
Holand	Hunter	Linton	Purgason	Roark

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Bartelsmeyer	Boatright	Boykins	Byrd
Harlan	Hartzler	Hendrickson	Hohulin	Lograsso
Mays 50	Nordwald	Paone	Reynolds	Schwab
Williams	Wilson 42			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS HB 1111**, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **HCS HB 1111** was read the third time and passed by the following vote:

AYES: 123

Abel	Barnett	Barnitz	Barry 100	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Bray 84	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Copenhaver	Crowell	Crump	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Long	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Relford	Richardson	Rizzo	Robirds	Ross
Scheve	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Mr. Speaker		

NOES: 023

Ballard	Bartle	Bearden	Boatright	Byrd
Cooper	Crawford	Cunningham	Froelker	Griesheimer
Hanaway	Holand	Hunter	Jetton	Kelly 144
Linton	Marble	Phillips	Purgason	Rector
Reinhart	Roark	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Britt	Hartzler
Hendrickson	Hohulin	Lograsso	Mays 50	Nordwald
Reid	Reynolds	Ridgeway	Schwab	Williams
Wilson 42				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS HB 1112**, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **HCS HB 1112** was read the third time and passed by the following vote:

AYES: 119

Abel	Ballard	Barnett	Barnitz	Barry 100
Berkowitz	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Dempsey
Dolan	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	O'Toole	Overschmidt	Paone	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Mr. Speaker	

NOES: 029

Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Burcham	Byrd	Cooper	Crawford
Crowell	Cunningham	Enz	Fares	Froelker
Gaskill	Griesheimer	Hanaway	Hunter	Jetton
Linton	Marsh	Mayer	Miller	Ostmann
Phillips	Reinhart	Roark	Wright	

PRESENT: 000



ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Boykins	Hartzler	Hendrickson
Hohulin	Lograsso	Mays 50	Nordwald	O'Connor
Reynolds	Schwab	Williams	Wilson 42	

VACANCIES: 001

Speaker Kreider declared the bill passed.

### THIRD READING OF HOUSE BILLS - CONSENT

**HB 1635**, relating to water corporations, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HB 1635** was read the third time and passed by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Haywood	Hegeman	Henderson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Myers	Naeger
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 003

Byrd	Moore	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Bartelsmeyer	Boykins	Copenhaver	Hartzler
Hendrickson	Hickey	Hohulin	Lograsso	Mays 50
Nordwald	O'Connor	Relford	Reynolds	Ridgeway
Schwab	Van Zandt	Williams	Wilson 42	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1921**, relating to credit union examination, was taken up by Representative Green (73).

On motion of Representative Green (73), **HB 1921** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Bartelsmeyer	Boykins	Byrd	Hartzler
Hendrickson	Hohulin	Liese	Lograsso	Mays 50
Nordwald	Rector	Reynolds	Schwab	Williams
Wilson 42				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1803**, relating to the Credit Union Commission, was taken up by Representative Green (73).

On motion of Representative Green (73), **HB 1803** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 001

Byrd

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Bartelsmeyer	Bowman	Boykins	Hartzler
Hendrickson	Hohulin	Liese	Lograsso	Mays 50
Nordwald	Reynolds	Schwab	Williams	Wilson 42

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 2029**, relating to certified police reports, was taken up by Representative Hosmer.

Representative Hosmer moved that **HB 2029** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 064

Barnett	Barnitz	Berkowitz	Bland	Bonner
Boucher	Bowman	Britt	Burton	Campbell
Carnahan	Champion	Clayton	Crawford	Crump
Cunningham	Davis	Farnen	Franklin	Gambara
Gaskill	Green 15	Hagan-Harrell	Harding	Harlan
Haywood	Hegeman	Henderson	Hilgemann	Holand
Hollingsworth	Hosmer	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Lawson	Marsh	McKenna
Merideth	Monaco	Ostmann	Paone	Ransdall
Reid	Relford	Ridgeway	Rizzo	Robirds
Scheve	Selby	Shelton	Shields	Skaggs
Smith	Troupe	Van Zandt	Villa	Wagner
Ward	Willoughby	Wilson 25	Mr. Speaker	

NOES: 079

Ballard	Barry 100	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Brooks	Burcham
Byrd	Cierpiot	Cooper	Copenhaver	Crowell
Curls	Daus	Dempsey	Dolan	Enz
Fares	Foley	Fraser	Froelker	George
Gratz	Green 73	Griesheimer	Hampton	Hanaway
Hickey	Holt	Hunter	Jetton	Jones
Kelley 47	Kelly 144	King	Koller	Legan
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Richardson	Roark	Ross
Secrest	Seigfreid	Shoemaker	Shoemyer	St. Onge
Surface	Thompson	Townley	Treadway	Vogel
Walker	Walton	Whorton	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 019

Abel	Baker	Bartelsmeyer	Boykins	Bray 84
Graham	Hartzler	Hendrickson	Hohulin	Hoppe
Liese	Lograsso	Mays 50	Nordwald	Reynolds
Schwab	Scott	Williams	Wilson 42	

VACANCIES: 001

**HB 1890**, relating to sales/use tax, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **HB 1890** was read the third time and passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 002

Moore	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Bartelsmeyer	Boykins	Bray 84	Crump
Green 73	Hartzler	Hendrickson	Hohulin	Kelley 47

Liese	Lograsso	Long	Mays 50	Nordwald
Reid	Reynolds	Schwab	Scott	Williams
Wilson 42				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 2120**, relating to value of property, was taken up by Representative Ridgeway.

On motion of Representative Ridgeway, **HB 2120** was read the third time and passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Haywood	Hegeman	Henderson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Lawson
Legan	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Bartelsmeyer	Boykins	Bray 84	Harlan
Hartzler	Hendrickson	Hickey	Hohulin	Kelley 47
Kelly 27	Koller	Liese	Lograsso	Long
Mays 50	Nordwald	O'Connor	Reynolds	Schwab
Scott	Williams	Wilson 42		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1715**, relating to interpreters for the hearing impaired, was taken up by Representative Moore.

On motion of Representative Moore, **HB 1715** was read the third time and passed by the following vote:

AYES: 107

Ballard	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Britt
Brooks	Burcham	Byrd	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Fraser
Froelker	Gambaro	George	Graham	Green 15
Griesheimer	Hampton	Hanaway	Harding	Haywood
Hegeman	Hilgemann	Holand	Holt	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Lawson	Legan	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Merideth	Miller	Monaco
Moore	Myers	Naeger	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Ross	Secrest	Seigfreid
Shields	Shoemaker	Shoemyer	Smith	St. Onge
Thompson	Townley	Villa	Vogel	Wagner
Walker	Walton	Ward	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 019

Abel	Bray 84	Campbell	Crump	Foley
Franklin	Hagan-Harrell	Harlan	Hollingsworth	Kelly 27
Kelly 36	McKenna	O'Connor	Paone	Scheve
Selby	Shelton	Treadway	Whorton	

PRESENT: 000

ABSENT WITH LEAVE: 036

Baker	Bartelsmeyer	Berkstresser	Boykins	Burton
Crowell	Gaskill	Gratz	Green 73	Hartzler
Henderson	Hendrickson	Hickey	Hohulin	Hoppe
Hunter	Kelley 47	King	Koller	Liese
Lograsso	Mays 50	Murphy	Nordwald	O'Toole
Purgason	Reynolds	Robirds	Schwab	Scott
Skaggs	Surface	Troupe	Van Zandt	Williams
Wilson 42				

VACANCIES: 001

Speaker Kreider declared the bill passed.

Representative Moore requested a verification of the roll call on the motion to third read and finally pass **HB 1715**.

### **PERFECTION OF HOUSE BILLS - INFORMAL**

**HB 1594, as amended**, relating to a pay raise for correctional officers, was taken up and placed back on the Informal Calendar.

**HCS HB 1069**, relating to wage practices, was taken up and placed back on the Informal Calendar.

**HCS HB 1479**, relating to emergency preparedness resource act, was taken up and placed back on the Informal Calendar.

**HB 1773, as amended**, relating to compensation for St. Louis Police, was taken up and placed back on the Informal Calendar.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2173** - Labor

**HB 2205** - Ways and Means

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SB 639** - Children, Families and Health

**SCS SB 642** - Criminal Law

**SB 644** - Motor Vehicle and Traffic Regulations

**SCS SB 645** - Correctional and State Institutions

**SCS SB 680** - Children, Families and Health

**SB 690** - Fiscal Review and Government Reform

**SB 695** - Children, Families and Health

**SB 701** - Transportation

**SB 702** - Social Services, Medicaid and the Elderly

**SB 708** - Environment and Energy

**SB 714** - Children, Families and Health

**SB 718** - Education-Elementary and Secondary

**SB 720** - Local Government and Related Matters

**SB 726** - Public Safety, Law Enforcement and Veteran Affairs

**SCS SB 729** - Insurance



**SCS SB 732** - Social Services, Medicaid and the Elderly  
**SB 742** - Judiciary  
**SB 744** - Local Government and Related Matters  
**SCS SB 745** - Motor Vehicle and Traffic Regulations  
**SB 749** - Judiciary  
**SCS SB 756** - Education-Elementary and Secondary  
**SB 758** - Civil and Administrative Law  
**SB 775** - Transportation  
**SCS SB 776** - Education-Elementary and Secondary  
**SB 786** - Professional Registration and Licensing  
**SB 794** - Education-Elementary and Secondary  
**SB 795** - Miscellaneous Bills & Resolutions  
**SB 798** - Motor Vehicle and Traffic Regulations  
**SCS SB 804** - Correctional and State Institutions  
**SCS SB 810** - Social Services, Medicaid and the Elderly  
**SB 812** - Fiscal Review and Government Reform  
**SB 813** - Miscellaneous Bills & Resolutions  
**SB 831** - Tourism, Recreation and Cultural Affairs  
**SCS SB 834** - Local Government and Related Matters  
**SB 859** - Education-Elementary and Secondary  
**SB 865** - Agriculture  
**SCS SB 874** - Education-Elementary and Secondary  
**SCS SB 885** - Commerce and Economic Development  
**SB 891** - Transportation  
**SB 895** - Banks and Financial Institutions  
**SB 896** - Professional Registration and Licensing  
**SCS SB 916** - Civil and Administrative Law  
**SCS SB 918** - Local Government and Related Matters  
**SB 932** - Civil and Administrative Law  
**SB 941** - Local Government and Related Matters  
**SCS SB 947** - Education-Elementary and Secondary  
**SB 950** - Transportation  
**SCS SB 957** - Motor Vehicle and Traffic Regulations  
**SS SCS SB 959** - Commerce and Economic Development  
**SCS SB 960** - Motor Vehicle and Traffic Regulations  
**SB 961** - Urban Affairs  
**SB 962** - Elections  
**SCS SB 966** - Motor Vehicle and Traffic Regulations  
**SCS SB 967** - Retirement  
**SS SS SCS SBs 970, 968, 921, 867, 868 & 738** - Transportation  
**SB 974** - Transportation  
**SB 976** - Professional Registration and Licensing  
**SCS SB 980** - Professional Registration and Licensing  
**SCS SB 988** - Transportation  
**SB 989** - Ways and Means

**SB 992** - Commerce and Economic Development  
**SCS SB 997** - Local Government and Related Matters  
**SB 1001** - Retirement  
**SB 1004** - Critical Issues, Consumer Protection and Housing  
**SCS SB 1007** - Professional Registration and Licensing  
**SB 1011** - Environment and Energy  
**SB 1012** - Environment and Energy  
**SCS SB 1015** - Conservation, State Parks and Mining  
**SCS SB 1024** - Professional Registration and Licensing  
**SB 1028** - Public Safety, Law Enforcement and Veteran Affairs  
**SB 1039** - Urban Affairs  
**SB 1041** - Correctional and State Institutions  
**SB 1048** - Children, Families and Health  
**SB 1050** - Education-Elementary and Secondary  
**SCS SB 1070** - Criminal Law  
**SCS SB 1071** - Agriculture  
**SB 1078** - Local Government and Related Matters  
**SCS SBs 1086 & 1126** - Local Government and Related Matters  
**SCS SB 1093** - Motor Vehicle and Traffic Regulations  
**SB 1094** - Social Services, Medicaid and the Elderly  
**SB 1102** - Criminal Law  
**SCS SB 1106** - Critical Issues, Consumer Protection and Housing  
**SB 1109** - Motor Vehicle and Traffic Regulations  
**SCS SB 1113** - Local Government and Related Matters  
**SB 1124** - Municipal Corporations  
**SCS SB 1132** - Municipal Corporations  
**SCS SB 1137** - Children, Families and Health  
**SB 1143** - Miscellaneous Bills & Resolutions  
**SCS SB 1151** - Tourism, Recreation and Cultural Affairs  
**SCS SB 1163** - Environment and Energy  
**SB 1168** - Correctional and State Institutions  
**SB 1186** - Local Government and Related Matters  
**SB 1199** - Transportation  
**SCS SB 1202** - Transportation  
**SCS SB 1207** - Children, Families and Health  
**SCS SB 1210** - Tourism, Recreation and Cultural Affairs  
**SCS SB 1212** - Education-Higher  
**SB 1213** - Public Safety, Law Enforcement and Veteran Affairs  
**SB 1217** - Municipal Corporations  
**SB 1220** - Miscellaneous Bills & Resolutions  
**SB 1243** - Tourism, Recreation and Cultural Affairs  
**SB 1244** - Children, Families and Health  
**SB 1247** - Civil and Administrative Law  
**SCS SB 1258** - Civil and Administrative Law  
**SCS SB 1259** - Children, Families and Health

## **COMMITTEE REPORT**

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1962**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

The following member's presence was noted: Boykins.

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 3:00 p.m., Monday, April 8, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Forty-sixth Day, Thursday, April 4, 2002, pages 839 and 840, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Pages 840 and 841, roll call, by showing Representative Graham voting "aye" rather than "absent with leave".

Pages 842 and 843, roll call, by showing Representative Graham voting "aye" rather than "absent with leave".

Pages 845 and 846, roll call, by showing Representatives Graham, Naeger, Sanders Brooks and Shields voting "aye" rather than "absent with leave".

Pages 848 and 849, roll call, by showing Representative Gaskill voting "aye" rather than "absent with leave".

Pages 848 and 849, roll call, by showing Representative Secrest voting "present" rather than "absent with leave".

Pages 855 and 856, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 862 and 863, roll call, by showing Representative Hampton voting "aye" rather than "absent with leave".

Pages 864 and 865, roll call, by showing Representatives Hosmer and McKenna voting "aye" rather than "absent with leave".

Pages 865 and 866, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 868, roll call, by showing Representative Boucher voting "no" rather than "absent with leave".

Pages 872 and 873, roll call, by showing Representatives Boucher, Johnson (61) and Murphy voting "aye" rather than "absent with leave".

Pages 874 and 875, roll call, by showing Representative Fares voting "no" rather than "aye".

Pages 876 and 877, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Pages 877 and 878, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Pages 879 and 880, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Pages 880 and 881, roll call, by showing Representative Johnson (61) voting "aye" rather than "absent with leave".

Pages 884 and 885, roll call, by showing Representative Shoemaker (8) voting "aye" rather than "absent with leave".

Pages 885 and 886, roll call, by showing Representatives Black, Davis, Green (15) and Murphy voting "aye" rather than "absent with leave".

Pages 890 and 891, roll call, by showing Representatives Graham and Lowe voting "aye" rather than "absent with leave".

Pages 891 and 892, roll call, by showing Representative Luetkemeyer voting "aye" rather than "absent with leave".

Pages 892 and 893, roll call, by showing Representative Green (15) voting "aye" rather than "absent with leave".

Pages 895 and 896, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 896 and 897, roll call, by showing Representatives Froelker, Green (15) and Lowe voting "aye" rather than "absent with leave".

Pages 897 and 898, roll call, by showing Representatives Froelker, Lowe and Reinhart voting "aye" rather than "absent with leave".

Pages 898 and 899 , roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 899 and 900, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 900 and 901, roll call, by showing Representatives Froelker and Harding voting "aye" rather than "absent with leave".

Pages 901 and 902, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 902 and 903, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 903 and 904, roll call, by showing Representatives Froelker and Phillips voting "aye" rather than "absent with leave".

Pages 904 and 905, roll call, by showing Representatives Black, Froelker, Kelly (27) and Liese voting "aye" rather than "absent with leave".

Pages 905 and 906, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Pages 906 and 907, roll call, by showing Representatives Black, Froelker and George voting "aye" rather than "absent with leave".

Pages 907 and 908, roll call, by showing Representatives Froelker, St. Onge and Whorton voting "aye" rather than "absent with leave".

Pages 908 and 909, roll call, by showing Representatives Carnahan and Ward voting "aye" rather than "absent with leave".

Pages 908 and 909, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 909 and 910, roll call, by showing Representatives Froelker, George and Green (15) voting "aye" rather than "absent with leave".

Pages 910 and 911, roll call, by showing Representatives Froelker and Green (15) voting "aye" rather than "absent with leave".

Pages 911 and 912, roll call, by showing Representatives Froelker and Walker voting "aye" rather than "absent with leave".

Pages 912 and 913, roll call, by showing Representatives Black and Froelker voting "aye" rather than "absent with leave".

Pages 913 and 914, roll call, by showing Representatives Froelker, Griesheimer, Hanaway, Hunter, Myers and Ransdall voting "aye" rather than "absent with leave".

Pages 914 and 915, roll call, by showing Representatives Thompson and Ward voting "aye" rather than "absent with leave".

Pages 914 and 915, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 915 and 916, roll call, by showing Representatives Froelker, Thompson and Ward voting "aye" rather than "absent with leave".

Pages 916 and 917, roll call, by showing Representative Jones voting "aye" rather than "no".

Pages 916 and 917, roll call, by showing Representatives Boatright, Froelker, Green (15), Hunter, Thompson and Ward voting "aye" rather than "absent with leave".

Pages 917 and 918, roll call, by showing Representatives Smith, Thompson and Ward voting "aye" rather than "absent with leave".

Pages 917 and 918, roll call, by showing Representatives Froelker and Jetton voting "no" rather than "absent with leave".

Pages 918 and 919, roll call, by showing Representatives Froelker, Jetton, Smith, Thompson and Ward voting "aye" rather than "absent with leave".

Pages 919 and 920, roll call, by showing Representatives Froelker, Smith, Thompson and Ward voting "aye" rather than "absent with leave".

Pages 920 and 921, roll call, by showing Representatives Smith, Thompson and Ward voting "aye" rather than "absent with leave".

Pages 921 and 922, roll call, by showing Representatives Froelker, Robirds, Smith, Thompson and Ward voting "aye" rather than "absent with leave".

Pages 922 and 923, roll call, by showing Representatives Froelker, Smith, Thompson and Ward voting "aye" rather than "absent with leave".

Pages 923 and 924, roll call, by showing Representatives Froelker, Smith, Thompson and Ward voting "aye" rather than "absent with leave".

Pages 924 and 925, roll call, by showing Representatives Froelker, Kelly (144), Thompson and Ward voting "aye" rather than "absent with leave".

Pages 925 and 926, roll call, by showing Representatives Smith, Thompson and Ward voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, April 10, 2002. Hearing Room 7 upon morning adjournment.  
Public hearing to be held: HB 2204  
Executive Session may follow

### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, April 9, 2002. Hearing Room 4 upon morning recess.  
Public Hearing to be held on: HB 1552, HB 1952, HB 2070, HB 2082

### **COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, April 9, 2002. Hearing Room 6 upon morning recess.  
Executive Session may follow.  
Public Hearing to be held on: HB 1610, HB 1965, HB 2000

### **FISCAL REVIEW AND GOVERNMENT REFORM**

Monday, April 8, 2002, 1:30 p.m. Hearing Room 6.  
Public Hearing to be held on: HB 1915, HJR 56  
Executive Session to be held on: HB 1306, HB 1392, HB 1461, HB 1926

### **MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, April 9, 2002. Hearing Room 1. Upon morning adjournment. AMENDED.  
Executive Session may or may not follow.  
Public Hearing to be held on: HB 1448, HB 1543, HB 1763, HB 1908, HB 2042, HB 2133

### **PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS**

Tuesday, April 9, 2002, 8:30 a.m. Hearing Room 6.  
Executive Session will follow.  
Public Hearing to be held on: HB 2127, SB 726, SB 1028, SB 1213

### **WAYS AND MEANS**

Tuesday, April 9, 2002, 8:00 a.m. Hearing Room 1.  
Public Hearing to be held on: HB 2205

## **HOUSE CALENDAR**

FORTY-EIGHTH DAY, MONDAY, APRIL 8, 2002

### **HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 1114 - Green (73)

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1654 & 1156 - Hosmer
- 2 HCS HB 1502 & 1821 - Luetkenhaus
- 3 HB 1455 - O'Toole
- 4 HCS HB 1735 - Hoppe
- 5 HB 1058 - Haywood
- 6 HCS HB 1756 - Reid
- 7 HCS HB 1443 - Barry
- 8 HB 1489 - Britt
- 9 HCS HB 1692 - Overschmidt
- 10 HB 1460 - Hilgemann
- 11 HB 1488 - Skaggs
- 12 HCS HB 1509 & 1510 - Curls
- 13 HB 1850 - O'Toole
- 14 HB 1869 - Barry
- 15 HCS HB 1143 - Rizzo
- 16 HCS HB 1888 - Barnitz
- 17 HCS HB 1962 - Monaco

### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker
- 4 HB 1773, as amended - Shelton

### **HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry



**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. (Fiscal Review 3-11-02) - Seigfreid
- 3 HS HCS HB 1392, (Fiscal Review 3-18-02) - Davis
- 4 HB 1679 - Crump
- 5 HB 1306, E.C. (Fiscal Review 4-2-02) - Williams
- 6 HB 1926, E.C. (Fiscal Review 4-2-02) - Fraser

**HOUSE BILL FOR THIRD READING - CONSENT**

HB 2155 - Willoughby

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 1872 - Hosmer

**BILL CARRYING REQUEST MESSAGE**

SCS HCS HB 1115, (req. Senate recede/grant conference) - Green (73)

**HOUSE RESOLUTION**

HR 341, (3-7-02, page 518) - Ladd Baker

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTY-EIGHTH DAY, MONDAY, APRIL 8, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Lord God, Your creative utterance makes the sun to shine and the rain to fall. As the rains fall across our state today, let the moisture of Your Spirit water the thoughts and actions of this great Chamber, that advance in all that is good - justice, peace, progress, security, dignity - will take place here and in all parts of our state.

As many difficult and important labors on the state budget and other weighty matters were concluded last week, may this week bring movement and decision on the bills at hand. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-seventh day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1140 - Representative Ridgeway  
House Resolution No. 1141 - Representatives Crowell and Schwab  
House Resolution No. 1142 - Representative Luetkemeyer  
House Resolution No. 1143 - Representatives Ross and Lograsso  
House Resolution No. 1144 - Representative Dolan  
House Resolution No. 1145  
and  
House Resolution No. 1146 - Representative Richardson  
House Resolution No. 1147 - Representative Hagan-Harrell  
House Resolution No. 1148 - Representative Whorton  
House Resolution No. 1149 - Representative Griesheimer

## PERFECTION OF HOUSE BILL - APPROPRIATIONS

**HCS HB 1114**, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1114, Page 1, Section 14.005, Line 5, by deleting the number "75,000,000" and inserting in lieu thereof the number "**66,300,000**"; and amending related language accordingly.

Representative Green (73) offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1114, Page 1, Section 14.005, Line 5, by deleting the number "\$66,300,000" and inserting in lieu thereof the number "**\$53,000,000.**".

On motion of Representative Green (73), **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted.

On motion of Representative Green (73), **HCS HB 1114, as amended**, was adopted.

On motion of Representative Green (73), **HCS HB 1114, as amended**, was ordered perfected and printed by the following vote:

AYES: 082

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curts	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Monaco	Murphy	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hosmer	Hunter	Jetton	Johnson 61
Kelley 47	Kelly 144	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	Surface
Townley	Vogel	Wright		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Boykins  
Van Zandt

Dolan

Merideth

Reid

Troupe

VACANCIES: 001

### PERFECTION OF HOUSE BILL

**HB 1455**, relating to public retirement systems, was taken up by Representative O'Toole.

Representative O'Toole offered **HS HB 1455**.

On motion of Representative O'Toole, **HS HB 1455** was adopted.

On motion of Representative O'Toole, **HS HB 1455** was ordered perfected and printed.

### PERFECTION OF HOUSE BILL - INFORMAL

**HB 1773, as amended**, relating to compensation for St. Louis police, was taken up by Representative Shelton.

On motion of Representative Shelton, **HB 1773, as amended**, was ordered perfected and printed.

### PERFECTION OF HOUSE BILLS

**HCS HB 1443**, relating to the safe place for newborns act, was taken up by Representative Barry.

On motion of Representative Barry, **HCS HB 1443** was adopted.

On motion of Representative Barry, **HCS HB 1443** was ordered perfected and printed.

**HB 1489**, relating to county crime reduction funds, was taken up by Representative Britt.

Representative Smith offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 1489 by inserting all the following in the appropriate location:

“143.782. As used in sections 143.782 to 143.788, unless the context clearly requires otherwise, the following terms shall mean and include:

(1) "Debt", any sum due and legally owed to any state agency which has accrued through contract, subrogation, tort, or operation of law regardless of whether there is an outstanding judgment for that sum, **court costs as defined in section 488.010, fines and fees owed to a court,** or any support obligation which is being enforced by the division of family services on behalf of a person who is receiving support enforcement services pursuant to section 454.425, RSMo;

(2) "Debtor", any individual, sole proprietorship, partnership, corporation or other legal entity owing a debt;

(3) "Department", the department of revenue of the state of Missouri;

(4) "Refund", the Missouri income tax refund which the department determines to be due any taxpayer pursuant to the provisions of this chapter. The amount of a refund shall not include any senior citizens property tax credit provided by sections 135.010 to 135.035, RSMo;[and,]

(5) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri, including public community college district; **and,**

(6) **"Court", the Supreme Court, court of appeals, or any circuit court of the state.”; and**

Further amend said bill by inserting the following in the appropriate location:

**“Section 1. 1. Upon an individual’s failure to pay court costs, fines, fees or other sums ordered by a court as payable to the state, a court may report any such delinquencies in excess of twenty-five dollars to the Office of State Courts Administrator and request that the State Courts Administrator seek a setoff of an income tax refund.**

**2. The Office of State Courts Administrator shall give the department of revenue the information necessary to identify each debtor whose refund is sought to be set off and the amount of the debt or debts owed by each such debtor who is entitled to a refund in excess of twenty-five dollars.**

**3. The department of revenue shall notify the Office of State Courts Administrator that a refund has been set off on behalf of a court and shall certify the amount of such setoff, which shall not exceed the amount of the claimed debt certified. When the refund owed exceeds the claimed debt, the department of revenue shall send the excess amount to the debtor within a reasonable time after such excess is determined.**

**4. The department of revenue shall notify the debtor by mail that a set off has been sought. The notice shall contain the following:**

**(1) the name of the debtor;**

**(2) the manner in which the debt arose;**

**(3) the amount of the claimed debt and the department’s intention to set off the refund against the debt;**

**(4) the amount, if any, of the refund due after set off of the refund against the debt; and**

**(5) the right of the debtor to apply in writing to the court originally requesting set off for review of the set off because the debt was previously satisfied.**

**Any debtor applying to the court for review of the set off must file a written application within thirty days of the date of mailing of the notice and send a copy of the application to the Office of State Courts Administrator. The application for review of the set off shall contain the name of the debtor, the case name and number from which the debt arose, and the grounds for review. The court may upon application, or on its own motion, hold a hearing on the application. The hearing shall be ancillary to the original action with the only matter for determination whether the refund set off was appropriate because the debt was unsatisfied at the time the court reported the delinquency to the Office of State Courts Administrator and that the debt remains unsatisfied.**

**In the case of a joint or combined return, the notice sent by the department shall contain the name of the nonobligated taxpayer named in the return, if any, against whom no debt is claimed. The notice shall state that as to the nonobligated taxpayer that no debt is owed and that the taxpayer is entitled to a refund regardless of the debt owed by such other person or persons named on the joint or combined return. The nonobligated taxpayer may seek a refund as provided in RSMo 143.784.**

**5. Upon receipt of funds transferred from the department of revenue to the Office of State Courts Administrator pursuant to a refund set off, the State Courts Administrator shall deposit such funds in the state treasury to be held in an escrow account, which is hereby established. Interest earned on those funds shall be credited to the escrow account and used to offset administrative expenses. If a debtor files with a court an**

application for review, the State Courts Administrator shall hold such sums in question until directed by that court to release the funds. If no application for review is filed, the State Courts Administrator shall, within forty-five days of receipt of funds from the department, send to the clerk of the court in which the debt arose such sums as are collected by the department of revenue for credit to the debtor's account.”; and

Further amend said bill by inserting the following in the appropriate location:

“488.5021. 1. In addition to any other assessment authorized by law, a court may assess a fee of twenty dollars on each person who pays a court ordered penalty, fine or sanction on a time payment basis, including parking penalties, restitution and juvenile monetary assessments. A time payment basis shall be any penalty, fine or sanction not paid, in full, within thirty days of the date the court imposed the fine, penalty or sanction. Imposition of the time payment fee shall be in addition to any other enforcement provisions authorized by law.

2. Eight dollars of the time payment fee collected pursuant to this section shall be payable to the clerk of the court of the county from which such fee was collected, or to such person as is designated by local circuit court rule as treasurer of said fund, and said fund shall be applied and expended under the direction and order of the court en banc of any such county to be utilized by the court to improve, maintain and enhance the ability to collect and manage moneys assessed or received by the courts, to improve case processing, enhance court security or to improve the administration of justice. Seven dollars of the time payment fee shall be deposited in the statewide court automation fund pursuant to section 476.055, RSMo. Five dollars of the time payment fee shall be deposited in the drug court resources fund pursuant to section 478.009, RSMo.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Smith, **House Amendment No. 1** was adopted.

On motion of Representative Britt, **HB 1489, as amended**, was ordered perfected and printed.

**HCS HB 1692**, relating to liquor sales, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **HCS HB 1692** was adopted.

On motion of Representative Overschmidt, **HCS HB 1692** was ordered perfected and printed.

Speaker Pro Tem Abel assumed the Chair.

**HB 1488**, relating to Kansas City transportation sales tax, was taken up by Representative Skaggs.

Representative Rector offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1488, Page 1, Section 92.402, Lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following:

"the provisions of section 92.421. The remainder of the tax in excess of such seven and one-half percent shall expire on December 31, 2003, [on which date] **except in any home rule city with more than four hundred thousand inhabitants and located in more than one county in which the governing body of the city submits to the voters of that city in the general election in November 2002 and every ten years thereafter a proposal to extend the remainder of the tax in excess of such seven and one-half percent pursuant to subsection 5 of this section.** The authority shall be in full"; and

Further amend said bill, Page 1, Section 92.402, Line 12, by inserting immediately after the word "Act" the following: "**on December 31, 2003**"; and

Further amend said bill, Page 2, Section 92.402, Line 25, by inserting after all of said line the following:

**"5. The ballot of submission shall contain, but need not be limited to, the following language:**

**Shall the remainder of the tax in excess of the seven and one-half percent for the benefit of the public mass transportation system imposed in the manner provided in section 92.402, RSMo, be extended for ten years?**

☐ YES

☐ NO

**If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".**

**If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall remain in effect for ten years following the November general election. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the remainder of the tax in excess of such seven and one-half percent shall expire on December 31, 2003."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Rector moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Enz	Fares
Froelker	Gaskill	Green 15	Griesheimer	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Myers	Naeger	Nordwald
Ostmann	Phillips	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

NOES: 084

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 36
Koller	Lawson	Liese	Lowe	Mays 50
McKenna	Monaco	Murphy	O'Connor	O'Toole

Overschmidt	Paone	Portwood	Ransdall	Relford
Reynolds	Rizzo	Ross	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Berkstresser	Boykins	Dolan	Foley	Kelly 27
Luetkenhaus	Troupe			

VACANCIES: 001

On motion of Representative Skaggs, **HB 1488** was ordered perfected and printed.

**HB 1850**, relating to sheriffs, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 1850** was ordered perfected and printed.

**HB 1869**, relating to peace officer residency, was taken up by Representative Barry.

Representative Monaco assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Skaggs offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1869, Page 1, Section 71.203, Line 7, by inserting after all of said line the following:

"84.570. 1. No person shall be appointed [policeman or] officer of police who shall have been convicted of any offense, the punishment of which may be confinement in the state penitentiary; nor shall any person be appointed who is not proven to be of good character, or who is not proven to be a bona fide citizen [and resident of such city for a period of at least one year and a citizen] of the United States, or who cannot read and write the English language and who does not possess ordinary physical strength and courage, nor shall any person be originally appointed to said police force who is less than twenty-one years of age[]; provided, however, that the board of police commissioners may, upon recommendation of the chief, waive the requirement of residency in the appointment of any policeman or officer of police for the period during which such appointee shall be on probationary status; provided, however, that on completion of the probationary period such policeman or officer of police becomes a bona fide resident of such city].

2. The board shall from time to time require open competitive examinations or tests for determining the qualifications and fitness of all applicants for appointment to positions on the police force. Such examinations and tests shall be practical and shall relate to matters which fairly measure the relative fitness of the candidates to discharge the duties of the positions to which they seek to be appointed. Notice of such examinations and tests shall be given not less than ten days in advance thereof by public advertisement in at least one newspaper of general circulation in such city, and by posting notice in the police headquarters building. A list of those qualifying in such examinations shall be established, listing those qualified in order of rank. When an appointment is to be made, the appointment shall be made from such eligible list.

3. The board shall also establish rules for:

(1) Temporary employment for not exceeding sixty days in the absence of any eligible list;



- (2) Hours of work of police employees and officers subject to [the provisions of] section 84.510; and
- (3) Attendance regulations and leaves of absence."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Byrd offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Lograsso raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Skaggs moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Lograsso offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 1869, Page 1, Section 71.203, Line 7, by adding the following at the end of said line:

**“3. Nothing herein shall prohibit a city, town, village or county from requiring a peace officer to be able to respond to a call within such jurisdiction from their residence within specified period of time.**

**4. A city, town, village or county may require a peace officer to live within the State of Missouri.”.**

Representative Jetton offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

Representative Gambaro raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 2** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Hanaway requested a division of the question on **House Amendment No. 2**.

*House Amendment No. 2*

**PART I**

AMEND House Bill No. 1869, Page 1, Section 71.203, Line 7, by adding the following at the end of said line:

**“3. Nothing herein shall prohibit a city, town, village or county from requiring a peace officer to be able to respond to a call within such jurisdiction from their residence within specified period of time.”.**

Representative Lograsso moved that **Part I of House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Barnett	Bartelsmeyer	Black	Burcham	Burton
Byrd	Champion	Cooper	Crawford	Crump
Davis	Fares	Farnen	Froelker	Gambaro
Gaskill	Harding	Hartzler	Henderson	Holand
Hunter	Jetton	Kelley 47	Kelly 144	Kelly 27
King	Legan	Linton	Lograsso	Luetkemeyer
Marble	Mayer	Miller	Monaco	Moore
Nordwald	O'Toole	Phillips	Purgason	Rector
Reinhart	Ridgeway	Roark	Robirds	Schwab
Seigfreid	Shoemaker	Surface	Townley	Wagner
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 091

Abel	Ballard	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Cierpiot
Clayton	Copenhaver	Crowell	Cunningham	Curls
Daus	Dempsey	Dolan	Enz	Foley
Fraser	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harlan	Haywood
Hegeman	Hendrickson	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Liese	Luetkenhaus
Marsh	May 149	Mays 50	McKenna	Merideth
Myers	Naeger	Overschmidt	Paone	Portwood
Quinn	Ransdall	Reid	Relford	Reynolds
Richardson	Rizzo	Ross	Scheve	Scott
Secrest	Selby	Shelton	Shields	Shoemyer
Smith	St. Onge	Thompson	Treadway	Van Zandt
Villa	Vogel	Walker	Walton	Williams
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Berkstresser	Franklin	Graham	Green 73
Hickey	Koller	Lawson	Long	Lowe
Murphy	O'Connor	Ostmann	Skaggs	Troupe

VACANCIES: 001

#### *House Amendment No. 2*

## **PART II**

AMEND House Bill No. 1869, by inserting the following in the appropriate location:

**“4. A city, town, village or county may require a peace officer to live within the State of Missouri.”.**

On motion of Representative Lograsso, **Part II of House Amendment No. 2** was adopted.

Representative Jetton offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Bill No. 1869, Page 1, Section 71.203, by inserting immediately at the end of said bill the following:

**“3. The provisions of this bill shall only apply to counties of the first classification and any city located not within a county.”.**

On motion of Representative Jetton, **House Amendment No. 3** was adopted by the following vote:

AYES: 094

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Boatright	Boucher	Britt	Burcham	Burton
Byrd	Campbell	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Davis
Dempsey	Dolan	Enz	Fares	Froelker
Gambaro	Gaskill	Hampton	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Holt	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Marble	May 149	Mayer	Merideth
Miller	Moore	Myers	Naeger	Nordwald
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reinhart	Reynolds	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shoemaker	Shoemyer	St. Onge
Surface	Townley	Treadway	Van Zandt	Vogel
Wagner	Ward	Whorton	Wright	

NOES: 051

Bland	Bowman	Bray 84	Brooks	Carnahan
Champion	Curls	Daus	Farnen	Foley
Franklin	Fraser	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Harlan
Haywood	Hilgemann	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Marsh	Mays 50	McKenna
Monaco	Murphy	O'Toole	Overschmidt	Paone
Reid	Relford	Rizzo	Scheve	Shelton
Shields	Skaggs	Smith	Thompson	Villa
Walker	Walton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 017

Abel	Baker	Berkstresser	Bonner	Boykins
Clayton	Hickey	Hollingsworth	Hoppe	Koller
Long	Luetkenhaus	O'Connor	Ostmann	Richardson
Troupe	Mr. Speaker			

VACANCIES: 001

Representative O'Toole offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Bill No. 1869, Page 1, Section 71.203, Line 7, by inserting after said line the following:

**“3. The provisions of this section shall not apply to any city not located in a county.”.**

Representative Hanaway raised a point of order that **House Amendment No. 4** amends previously amended material.

The Chair ruled the point of order not well taken.

**HB 1869, as amended, with House Amendment No. 4, pending,** was laid over.

**REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 2118** - Miscellaneous Bills & Resolutions

**REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SB 1119** - Public Safety, Law Enforcement and Veteran Affairs

**SCS SB 1182** - Professional Registration and Licensing

**SCS SB 1203** - Ways and Means

**SCS SBs 1241, 1253 & 1189** - Motor Vehicle and Traffic Regulations

**SB 1251** - Judiciary

**RE-REFERRAL OF SENATE BILLS**

The following Senate Bills were re-referred to the Committee indicated:

**SB 795** - Professional Registration and Licensing

**SCS SB 947** - Education-Higher

## COMMITTEE REPORTS

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HB 1392 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HBs 1461 & 1470 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 1926 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 1915**, begs leave to report it has examined the same and recommends that it **Do Not Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1726**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1809**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Higher**, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 1527**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Sportsmanship, Safety and Firearms**, Chairman Barnitz reporting:

Mr. Speaker: Your Committee on Sportsmanship, Safety and Firearms, to which was referred **HB 1729, HB 1589 & HB 1435**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1115** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 740**, entitled:

An act to repeal sections 452.440, 452.445, 452.450, 452.455, 452.460, 452.465, 452.470, 452.475, 452.480, 452.485, 452.490, 452.495, 452.500, 452.505, 452.510, 452.515, 452.520, 452.525, 452.530, 452.535, 452.540, 452.545, 452.550, 454.606, 454.609, 454.615, 454.618, 454.627 and 454.700, RSMo, and to enact in lieu thereof forty-six new sections relating to the uniform child custody jurisdiction act, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 840**, entitled:

An act to repeal sections 516.097 and 537.600, RSMo, relating to certain tort actions, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**SCS HCS HB 1115:** Representatives Green (73), Troupe, Campbell, Legan and Bearden.

## ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 9, 2002.

## CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-seventh Day, Friday, April 5, 2002, page 977, line 10, by deleting all of said line and inserting in lieu thereof the following:

**SCS SB 776** - Education-Higher

Page 977, line 18, by inserting immediately after said line the following:

**SCS SB 821** - Environment and Energy

Pages 933 and 934, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 935, roll call, by showing Representative Crowell voting "aye" rather than "absent with leave".

Pages 936 and 937, roll calls, by showing Representative Hampton voting "aye" rather than "absent with leave".

Pages 937 and 938, roll call, by showing Representatives Green (15) and Murphy voting "aye" rather than "absent with leave".

Pages 938 and 939, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 940 and 941, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 941 and 942, roll call, by showing Representatives Curls and Myers voting "aye" rather than "absent with leave".

Pages 947 and 948, roll call, by showing Representatives Black, Carnahan and Kelly (27) voting "aye" rather than "absent with leave".

Pages 949 and 950, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 950 and 951, roll call, by showing Representative Dempsey voting "aye" rather than "absent with leave".

Pages 951 and 952, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 952 and 953, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 953 and 954, roll call, by showing Representative Copenhaver and St. Onge voting "aye" rather than "absent with leave".

Pages 955 and 956, roll call, by showing Representative Murphy voting "aye" rather than "absent with leave".

Pages 957 and 958, roll call, by showing Representative Cooper voting "aye" rather than "absent with leave".

Pages 962 and 963, roll call, by showing Representatives Kelly (27) and Phillips voting "aye" rather than "absent with leave".

Pages 966 and 967, roll call, by showing Representative Boatright voting "no" rather than "absent with leave".

Pages 970 and 971, roll call, by showing Representative Rector voting "aye" rather than "absent with leave".

Pages 973 and 974, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, April 10, 2002. Hearing Room 7 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: HB 2204

### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, April 9, 2002. Hearing Room 4 upon morning recess. AMENDED.

Public Hearing to be held on: SB 639, SB 680, SB 695, SB 714, SB 1048, SB 1137, SB 1207, SB 1244, SB 1259

### **CIVIL AND ADMINISTRATIVE LAW**

Wednesday, April 10, 2002. Hearing Room 1 upon morning recess.

Public Hearing to be held on: SB 758, SB 916, SB 932, SB 1247, SB 1258

### **COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, April 9, 2002. Hearing Room 6 upon morning recess.

Executive Session may follow. AMENDED.

Public Hearing to be held on: HB 1610, HB 1965, HB 2000, SB 885, SB 959, SB 992

### **CONSERVATION, STATE PARKS AND MINING**

Tuesday, April 9, 2002, 8:30 a.m. Hearing Room 3.

Executive Session will follow.

Public Hearing to be held on: SB 1015



CRIMINAL LAW

Wednesday, April 10, 2002, 8:00 p.m. Hearing Room 7.  
Public Hearing to be held on: SB 642, SB 1070, SB 1102

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, April 10, 2002, 8:00 a.m. Hearing Room 3.  
Executive Session may follow on HB 1034.  
Public Hearing to be held on: HB 1893, HB 1940, HB 1941, SB 794, SB 859, SB 874, SB 1050

EDUCATION - HIGHER

Wednesday, April 10, 2002. Hearing Room 5 upon noon recess or 12:15 p.m.  
Executive Session.  
Public Hearing to be held on: SB 776, SB 947, SB 1212

ENVIRONMENT AND ENERGY

Wednesday, April 10, 2002. Side gallery upon morning recess.  
Executive Session.  
Public Hearing to be held on: HB 1599

ENVIRONMENT AND ENERGY

Thursday, April 11, 2002, 8:30 a.m. Hearing Room 7.  
Executive Session may follow.  
Public Hearing to be held on: SB 708, SB 821, SB 1011, SB 1012, SB 1163

INSURANCE

Tuesday, April 9, 2002. Hearing Room 7 upon afternoon adjournment.  
Public Hearing to be held on: SB 729

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 18, 2002. Senate Lounge upon noon adjournment.  
Rule Number 19 CSR 30-82.010, 19 CSR 30-83.010, 12 CSR 10-24.326.

JUDICIARY

Tuesday, April 9, 2002. Hearing Room 5 upon morning recess.  
Executive Session may follow. AMENDED.  
Public Hearing to be held on: SB 742, SB 749, SB 1251

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 9, 2002. Hearing Room 3 upon morning recess.  
Executive Session to follow.  
Public Hearing to be held on: SB 720, SB 744, SB 834, SB 918, SB 941, SB 997, SB 1078, SB 1086, SB 1113, SB 1186

#### MISCELLANEOUS BILLS & RESOLUTIONS

Wednesday, April 10, 2002, 8:45 a.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: HB 2118, HB 2144, SB 1143, SB 1220

#### MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 9, 2002. Hearing Room 1. Upon morning recess. AMENDED #3.

Executive Session may or may not follow.

Public Hearing to be held on: HB 1448, HB 1543, HB 1763, HB 1908, HB 2042, HB 2133, SB 644, SB 745, SB 798, SB 957, SB 960, SB 966, SB 1093, SB 1109, SB 1241

#### MUNICIPAL CORPORATIONS

Wednesday, April 10, 2002. Hearing Room 4 upon morning recess.

Public Hearing to be held on: HB 1931, SB 1124, SB 1132, SB 1217

#### PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 9, 2002. Hearing Room 5 upon afternoon adjournment.

Public Hearing to be held on: SB 786, SB 795, SB 896, SB 976, SB 980, SB 1007, SB 1024, SB 1182

#### PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Tuesday, April 9, 2002, 8:30 a.m. Hearing Room 6.

Executive Session will follow. AMENDED.

Public Hearing to be held on: HB 2127, SB 726, SB 1028, SB 1119, SB 1213

#### RETIREMENT

Wednesday, April 10, 2002, 7:00 p.m. Hearing Room 1.

Executive Session may follow.

Public Hearing to be held on: SB 967, SB 1001

#### SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 9, 2002, 8:00 p.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 702, SB 732, SB 810, SB 1094

#### TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, April 9, 2002, 8:00 p.m. Hearing Room 3.

Executive Session may follow.

Public Hearing to be held on: SB 831, SB 1151, SB 1210, SB 1243

#### TRANSPORTATION

Wednesday, April 10, 2002. Hearing Room 6 upon morning recess.

Executive Session to follow.

Public Hearing to be held on: SB 701, SB 775, SB 891, SB 950, SB 970, SB 974, SB 988, SB 1199, SB 1202

**WAYS AND MEANS**

Tuesday, April 9, 2002, 8:00 a.m. Hearing Room 1. AMENDED.

Public Hearing to be held on: HB 2205, SB 989, SB 1203

**HOUSE CALENDAR**

FORTY-NINTH DAY, TUESDAY, APRIL 9, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1654 & 1156 - Hosmer
- 2 HCS HB 1502 & 1821 - Luetkenhaus
- 3 HCS HB 1735 - Hoppe
- 4 HB 1058 - Haywood
- 5 HCS HB 1756 - Reid
- 6 HB 1460 - Hilgemann
- 7 HCS HB 1509 & 1510 - Curls
- 8 HB 1869, as amended, HA 4 pending - Barry
- 9 HCS HB 1143 - Rizzo
- 10 HCS HB 1888 - Barnitz
- 11 HCS HB 1962 - Monaco
- 12 HCS HB 1527 - Graham
- 13 HCS HB 1809 - Sanders Brooks
- 14 HB 1726 - Walton
- 15 HCS HB 1729, 1589 & 1435 - Barnitz

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILL FOR THIRD READING - APPROPRIATIONS**

HCS HB 1114 - Green (73)

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HCS HB 1461 & 1470, E.C. - Seigfreid
- 3 HS HCS HB 1392 - Davis
- 4 HB 1679 - Crump
- 5 HB 1306, E.C. - Williams
- 6 HB 1926, E.C. (Fiscal Review 4-2-02) - Fraser

**HOUSE BILL FOR THIRD READING - CONSENT**

HB 2155 - Willoughby

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 1872 - Hosmer

**SENATE BILLS FOR SECOND READING**

- 1 SB 740
- 2 SS SCS SB 840

**BILL IN CONFERENCE**

SCS HCS HB 1115 - Green (73)

**HOUSE RESOLUTION**

HR 341, (3-7-02, page 518) - Ladd Baker

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FORTY-NINTH DAY, TUESDAY, APRIL 9, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God of mercy, Father of justice, Lord of peace, manifest Yourself in this room, in office, hearing room, corridor; wherever You are needed to bring order from disorder and serenity from discord.

In this great Capitol building, may even the stones resound with Your aura. Help all here to recall the greatness of their calling, even in the little decisions and judgements, which add up to important ends. Help us build, not just material progress, but expanse in mind and heart, which truly makes us free. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tasha Scott, Lauren Nilges, Justin Major, Alex Pang, Michelle Scott, Shelby Helton, Julie Nulsen, Ryan Schulze, Marneekwua Carter, Mary Boedeker, Robert Dawkins, Anthony Dickson, Zach Eastman, Matt Elbert, Jason Evans, Jacob Evers, Luke Garrison, Lee Glaser, Sebastian Harms, Anthony Henderson, Jennifer Hess, Ben Hjelle, Max Holtz, Rachel Ilyashov, Jim Janney, Eddie Johnson, Matt Lambeth, Timothy Mathis, Ben Meraz, Claire Mosely, Megan Multack, Drew Nangle, Patrick Nangle, Adam Parli, Rodney Payne, James Peisker, Aaron Richter, Meaghan Roberts, Tasha Scott, Andrea Seligman, Ashley Tate, Jon Voelz, Charles Warren, Jennifer Williams, Marie Wilson, Ryan Wolfe, Tyrone Jones, David Craft, Jason McDonald, George Strickland and Carly Wilburn.

The Journal of the forty-eighth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1150

and

- House Resolution No. 1151 - Representative Berkowitz
- House Resolution No. 1152 - Representative Ransdall
- House Resolution No. 1153 - Representative Riback Wilson (25)
- House Resolution No. 1154 - Representative Bartle
- House Resolution No. 1155 - Representative Barnett
- House Resolution No. 1156 - Representative Enz

House Resolution No. 1157 - Representative Franklin  
House Resolution No. 1158 - Representative Reynolds  
House Resolution No. 1159 - Representative Reynolds, et al

## **SECOND READING OF SENATE BILLS**

**SB 740** and **SS SCS SB 840** were read the second time.

## **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1114**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Speaker Pro Tem Abel assumed the Chair.

## **PERFECTION OF HOUSE BILLS**

**HB 1869, as amended, with House Amendment No. 4, pending**, relating to peace officer residency, was taken up by Representative Barry.

Representative Gambaro offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 4*

AMEND House Bill No. 1869, Page 1, Section 71.203, Line 7, by adding after “county.” the following:

**“3. The provisions of this paragraph shall not apply if the school district which coincides with said city has been unaccredited or provisionally accredited by the state board of education or failed to make significant and sustained progress on the Missouri Assessment Plan within the past two years.”.**

Representative Gambaro moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated.

Representative O'Toole moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 032

Bland	Bowman	Boykins	Bray 84	Brooks
Campbell	Curls	Daus	Franklin	George
Green 15	Green 73	Haywood	Hilgemann	Johnson 61
Jones	Lowe	Murphy	O'Connor	O'Toole
Overschmidt	Paone	Rizzo	Scheve	Shelton
Skaggs	Thompson	Villa	Walker	Walton
Wilson 25	Wilson 42			

NOES: 115

Baker	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Barden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Britt	Burton	Byrd	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	King	Koller	Legan
Liese	Linton	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Townley	Treadway	Troupe
Vogel	Ward	Whorton	Willoughby	Wright

PRESENT: 001

Abel

ABSENT WITH LEAVE: 014

Burcham	Carnahan	Harlan	Hickey	Kelly 36
Lawson	Lograsso	Moore	Myers	Richardson
Van Zandt	Wagner	Williams	Mr. Speaker	

VACANCIES: 001

Representative Riback Wilson (25) offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Bill No. 1869, Page 1, Section 71.203, Line 7, by inserting immediately before the period the following:

**“Except that such political subdivision may provide incentives, such as housing supplements or vehicle use guidelines, to encourage peace officers to locate within such political subdivision”.**

On motion of Representative Riback Wilson (25), **House Amendment No. 5** was adopted.

Representative Gratz offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Bill No. 1869, Page 1, Section 71.203, Line 7, by inserting thereafter the following:

**“3. The provisions of this section shall not apply to a county of the first classification without a charter form of government and with more than seventy-one thousand three hundred but less than seventy-one thousand four hundred inhabitants.”; and**

Further amend said bill’s enacting clause, title and intersectional references accordingly.

On motion of Representative Gratz, **House Amendment No. 6** was adopted.

Representative Cunningham offered **House Amendment No. 7**.

Representative Barry raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Green (73) offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Bill No. 1869, Page 1, Section 71.203, Line 7, by inserting after said line the following:

**“3. The provisions of this section shall not apply to any special assignments or use of department property as determined by any city, town, village or county.”.**

Representative Barry offered **House Amendment No. 1 to House Amendment No. 7**.

*House Amendment No. 1*

*to*

*House Amendment No. 7*

AMEND House Amendment No. 7 to House Bill No. 1869, Page 1, Section 71.203, by striking **“any special assignments or”**.

On motion of Representative Barry, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Green (73), **House Amendment No. 7, as amended**, was adopted.

Representative O'Toole offered **House Amendment No. 8**.



House Amendment No. 8

AMEND House Bill No. 1869, Page 1, Section 71.203, Line 7, by inserting after said line the following:

**“3. In any city not within a county, the provisions of this section shall only apply to peace officers who are veterans of the force of twelve years or greater.”.**

Representative O'Toole moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 015

Bray 84	Campbell	Daus	Davis	George
Green 15	Hilgemann	Johnson 61	Lowe	O'Toole
Paone	Skaggs	Villa	Wagner	Wilson 25

NOES: 120

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Britt	Brooks	Burton	Byrd
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Dempsey
Dolan	Enz	Fares	Farnen	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	King	Legan	Liese	Linton
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Vogel	Walker
Ward	Whorton	Williams	Willoughby	Wilson 42

PRESENT: 001

Abel

ABSENT WITH LEAVE: 026

Baker	Boykins	Burcham	Carnahan	Clayton
Foley	Franklin	Harlan	Hickey	Hohulin
Holand	Hollingsworth	Kelley 47	Kelly 36	Koller
Lawson	Lograsso	Monaco	Purgason	Richardson
Scheve	Secrest	Van Zandt	Walton	Wright
Mr. Speaker				

VACANCIES: 001

Representative O'Toole offered **House Amendment No. 9**.

Representative Gambaro raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Barry, **HB 1869, as amended**, was ordered perfected and printed by the following vote:

AYES: 077

Baker	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Bonner
Boucher	Britt	Burton	Byrd	Champion
Cierpiot	Clayton	Cooper	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
Graham	Hagan-Harrell	Hanaway	Harding	Harlan
Hegeman	Hendrickson	Hohulin	Holt	Hosmer
Hunter	Jetton	Johnson 90	Jones	Kelley 47
Kelly 144	Liese	Linton	Lograsso	Long
Luetkenhaus	Mayer	McKenna	Miller	Monaco
Naeger	Ostmann	Phillips	Portwood	Quinn
Reid	Reinhart	Reynolds	Ridgeway	Robirds
Ross	Secrest	Seigfreid	Selby	Shields
St. Onge	Surface	Treadway	Vogel	Wagner
Ward	Mr. Speaker			

NOES: 075

Ballard	Barnitz	Black	Bland	Boatright
Bowman	Bray 84	Brooks	Campbell	Copenhaver
Crawford	Crump	Curls	Daus	Davis
George	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hartzler	Haywood	Henderson	Hilgemann
Holand	Hollingsworth	Hoppe	Johnson 61	Jolly
Kelly 27	King	Legan	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mays 50	Merideth
Moore	Murphy	Myers	Nordwald	O'Connor
O'Toole	Overschmidt	Paone	Purgason	Ransdall
Rector	Relford	Richardson	Rizzo	Roark
Scheve	Schwab	Scott	Shelton	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Townley
Troupe	Van Zandt	Villa	Walker	Walton
Williams	Willoughby	Wilson 25	Wilson 42	Wright

PRESENT: 003

Abel	Franklin	Whorton
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ABSENT WITH LEAVE: 007

Boykins	Burcham	Carnahan	Hickey	Kelly 36
Koller	Lawson			

VACANCIES: 001

Speaker Kreider resumed the Chair.

**HCS HBs 1654 & 1156**, relating to the protection of the elderly, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HCS HBs 1654 & 1156**.

Representative Luetkenhaus offered **House Amendment No. 1**.

Representative Johnson (90) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Foley offered **House Amendment No. 1**.

Representative Hollingsworth raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Ladd Baker offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, Page 50, Section 197.370, Lines 16 through 24, by deleting all of said lines and inserting in lieu thereof following:

**“Continuing care retirement communities, which contain in their certificate of need application plans which when completed will consist of a minimum of fifty independent living units and a minimum of thirty residential care facility beds and thirty skilled nursing facility beds and all facilities are located on contiguous property, shall be exempt from the requirements of section 197.317 and 197.318 RSMo, for the establishment or addition of long-term care beds.”; and**

Further amend said bill, Page 121, Section 344.050, Line 20, by inserting after all of said line the following:

**“354.407. Notwithstanding the provisions of section 354.405 to the contrary, a program for all-inclusive care for the elderly (PACE) project sponsored by a religious or charitable organization that is itself or is controlled by an entity organized under Section 501(c)(3) of the Internal Revenue Code and which has had its application for the operation of a PACE program approved by the Center for Medicare and Medicaid Services of the federal Department of Health and Human Services and is operating under such approval shall not be**

**deemed to be engaged in any business required to be licensed pursuant to section 354.405. Such exemption shall apply only to business conducted pursuant to the approved PACE contract and not to any other business that such organization may conduct.”; and**

Further amend said bill, Page 143, Section 660.071, Lines 21 through 23, by deleting the sentence beginning with the word “such”; and

Further amend said bill, Page 148, Section 1, Line 1, by inserting after all of said line the following:

**“Section 2. In order to protect the community spouse of an individual living in a residential care facility I or residential care facility II, as defined in Section 198.006, RSMo, from impoverishment and to prevent premature placement in a more expensive, more restrictive environment, the division of family services shall comply with the provisions of subsection 6 of section 208.010, RSMo, when determining the eligibility for benefits pursuant to section 208.030, RSMo.”; and**

Further amend title, enacting clause and intersectional references accordingly.

On motion of Representative Ladd Baker, **House Amendment No. 1** was adopted.

Representative Naeger offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, by placing the following in the appropriate location:

"[197.367 Upon application for renewal by any residential care facility I or II which on the effective date of this act has been licensed for more than five years, is licensed for more than fifty beds and fails to maintain for any calendar year its occupancy level above thirty percent of its then licensed beds, the division of aging shall license only fifty beds for such facility.]" ; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Ladd Baker raised a point of order that **House Amendment No. 2** is improperly drafted.

The Chair ruled the point of order not well taken.

On motion of Representative Naeger, **House Amendment No. 2** was adopted.

**HCS HBs 1654 & 1156, with HS, as amended, pending**, was laid over.

On motion of Representative Foley, the House recessed until 2:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1160  
 through  
 House Resolution No. 1162 - Representative Green (73)  
 House Resolution No. 1163 - Representative Jolly  
 House Resolution No. 1164  
 through  
 House Resolution No. 1177 - Representative Reinhart  
 House Resolution No. 1178  
 and  
 House Resolution No. 1179 - Representative Fares  
 House Resolution No. 1180 - Representative Clayton  
 House Resolution No. 1181 - Representative Harding  
 House Resolution No. 1182 - Representative Williams  
 House Resolution No. 1183 - Representative Shields  
 House Resolution No. 1184 - Representative Legan  
 House Resolution No. 1185 - Representative Mayer

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1443, HS HB 1455, HB 1488, HB 1489, HCS HB 1692, HB 1773** and **HB 1850**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## THIRD READING OF HOUSE BILLS

**HS HCS HBs 1461 & 1470**, relating to elections, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **HS HCS HBs 1461 & 1470** was read the third time and passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73

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Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Johnson 61

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 012

Barry 100	Berkstresser	Burcham	Cooper	Dempsey
Hilgemann	Hunter	Kelly 36	Nordwald	O'Toole
Rizzo	Scott			

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Copenhaver
Crawford	Crowell	Crump	Curls	Daus
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton

Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Roark	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Johnson 61

PRESENT: 000

ABSENT WITH LEAVE: 011

Burcham	Cooper	Cunningham	Dempsey	Hilgemann
Hunter	Kelly 36	Nordwald	O'Toole	Rizzo
Scott				

VACANCIES: 001

**HS HCS HB 1392**, relating to school district tax alternatives, was taken up by Representative Davis.

On motion of Representative Davis, **HS HCS HB 1392** was read the third time and passed by the following vote:

AYES: 105

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
George	Graham	Gratz	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
King	Koller	Lawson	Liese	Long
Luetkemeyer	May 149	Mays 50	McKenna	Merideth
Moore	Myers	O'Connor	Overschmidt	Paone
Quinn	Ransdall	Rector	Reinhart	Relford
Rizzo	Robirds	Scheve	Schwab	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs

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Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 044

Ballard	Bartle	Bearden	Boatright	Burton
Byrd	Cierpiot	Crowell	Dolan	Enz
Gaskill	Green 15	Green 73	Hanaway	Hohulin
Hollingsworth	Holt	Hunter	Jetton	Legan
Linton	Lowe	Luetkenhaus	Marble	Marsh
Mayer	Miller	Murphy	Phillips	Portwood
Reid	Reynolds	Richardson	Ridgeway	Roark
Ross	Scott	Secrest	Shoemaker	Smith
St. Onge	Surface	Townley	Wright	

PRESENT: 001

Cunningham

ABSENT WITH LEAVE: 012

Baker	Burcham	Dempsey	Kelly 36	Lograsso
Monaco	Naeger	Nordwald	O'Toole	Ostmann
Purgason	Vogel			

VACANCIES: 001

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**HB 1926**, relating to children's health insurance program, was taken up by Representative Fraser.

On motion of Representative Fraser, **HB 1926** was read the third time and passed by the following vote:

AYES: 119

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crump	Cunningham	Curls
Daus	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Green 15	Green 73
Hagan-Harrell	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
King	Koller	Lawson	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Monaco
Moore	Myers	O'Connor	O'Toole	Ostmann



Overschmidt	Paone	Portwood	Quinn	Ransdall
Reid	Relford	Reynolds	Rizzo	Ross
Scheve	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 035

Ballard	Bartelsmeyer	Bearden	Behnen	Boatright
Cierpiot	Cooper	Crawford	Froelker	Griesheimer
Henderson	Hendrickson	Hohulin	Hunter	Jetton
Kelly 144	Legan	Linton	Lograsso	Marble
Miller	Murphy	Naeger	Nordwald	Phillips
Purgason	Rector	Reinhart	Richardson	Ridgeway
Roark	Robirds	Schwab	Scott	Surface

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bowman	Burcham	Crowell	Dempsey
Gratz	Hampton	Kelly 36		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Foley requested a verification of the roll call on the motion to third read and pass **HB 1926**.

The emergency clause was adopted by the following vote:

AYES: 124

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Copenhaver	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
King	Koller	Lawson	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Monaco
Moore	Myers	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Reid	Relford	Reynolds	Rizzo	Robirds

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Ross	Scheve	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	

NOES: 030

Ballard	Bartelsmeyer	Bearden	Behnen	Boatright
Cierpiot	Cooper	Crawford	Griesheimer	Henderson
Hendrickson	Hohulin	Hunter	Kelly 144	Legan
Lograsso	Marble	Miller	Murphy	Naeger
Nordwald	Phillips	Purgason	Rector	Reinhart
Richardson	Ridgeway	Roark	Schwab	Scott

PRESENT: 000

ABSENT WITH LEAVE: 008

Burcham	Dempsey	Franklin	Jetton	Kelly 36
Linton	Skaggs	Mr. Speaker		

VACANCIES: 001

**HB 1679**, relating to horse racing and pari-mutuel wagering, was taken up by Representative Crump.

On motion of Representative Crump, **HB 1679** was read the third time and passed by the following vote:

AYES: 082

Abel	Barnitz	Barry 100	Berkowitz	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Byrd	Carnahan	Clayton	Copenhaver	Crump
Davis	Dolan	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Johnson 61	Johnson 90	Jones	King	Koller
Liese	Long	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Merideth	Monaco	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Ransdall	Reid	Relford	Reynolds
Richardson	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Thompson	Townley
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 067

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Behnen	Berkstresser	Black	Boatright	Burton
Campbell	Champion	Cierpiot	Cooper	Crawford
Cunningham	Daus	Enz	Froelker	Gaskill

Griesheimer	Hampton	Hanaway	Harding	Hartzler
Hegeman	Hendrickson	Hohulin	Holand	Hunter
Jetton	Jolly	Kelley 47	Kelly 144	Kelly 27
Lawson	Legan	Linton	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Miller	Moore
Murphy	Myers	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	St. Onge	Surface	Van Zandt
Willoughby	Wright			

PRESENT: 006

Bearden	Curls	Fares	Henderson	Hosmer
Smith				

ABSENT WITH LEAVE: 007

Bland	Bray 84	Burcham	Crowell	Dempsey
Kelly 36	Treadway			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Boatright requested a verification of the roll call on the motion to third read and pass **HB 1679**.

Speaker Kreider resumed the Chair.

### THIRD READING OF HOUSE BILL - APPROPRIATIONS

**HCS HB 1114**, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) offered **House Perfecting Amendment No. 1**.

#### *House Perfecting Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1114, Page 1, by amending the title, Line 3, by deleting the word "July" and inserting in lieu thereof the word "**June**".

On motion of Representative Green (73), **House Perfecting Amendment No. 1** was adopted.

Representative Green (73) moved that **HCS HB 1114, as amended**, be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 087

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Koller	Lawson	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
Murphy	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Holand	Holt
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Burcham	Dempsey	Hohulin	Kelly 36
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VACANCIES: 001

## REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 39** - Miscellaneous Bills & Resolutions

### REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HCS HB 1443** - Fiscal Review and Government Reform (Fiscal Note)

### REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**SCS SB 656** - Insurance

**SCS SB 669** - Commerce and Economic Development

**SCS SB 737** - Agriculture

**SCS SB 836** - Ways and Means

**SB 860** - Education-Elementary and Secondary

**SB 993** - Public Safety, Law Enforcement and Veteran Affairs

### COMMITTEE REPORTS

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HR 281**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### HOUSE RESOLUTION NO. 281

Whereas, the historical attachment of Missourians to the land and agriculture is decreasing; and

Whereas, today's farmers and ranchers contribute to the abundant, healthy, and low-cost food, fiber, and fuel system that drives the state and national economies; and

Whereas, the chasm that exists between production and the plate allows for misunderstandings of the importance of agriculture; and

Whereas, the Governor's Task Force on Agriculture identified the necessity of building an organizational and communications infrastructure to better serve the needs of the agriculture community; and

Whereas, the House Agriculture Committee does recognize the critical need for cooperation between the various organizations within agriculture to tell the agriculture story; and

Whereas, the House Agriculture Subcommittee tasked with making recommendations for implementation of the Governor's Task Force on Agriculture findings met and discussed the challenges and opportunities presented by better coordination and focus of resources; and

Whereas, it is agreed that through additional emphasis on coordination, the agriculture community can better educate consumers, both young and old, about the importance of agriculture production to our state and nation; and

Whereas, to be successful, this effort must be a venture embraced by both the public and private sectors:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, urge the Departments of Agriculture, Natural Resources, Conservation, Health and Senior Services, and Economic Development, and the Coordinating Board for Higher Education to cooperatively develop plans for increased awareness and understanding of the importance and opportunity of the state's agriculture industries; and

Be it further resolved that the members of the House of Representatives urge private sector agriculture interests to join with government in cooperative programs of education, focusing on both in-school as well as practical hands-on interaction; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Directors of the Departments of Agriculture, Natural Resources, Conservation, Health and Senior Services, and Economic Development, and the Coordinating Board for Higher Education.

**Committee on Commerce and Economic Development**, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **HB 1886**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Conservation, State Parks and Mining**, Chairman Relford reporting:

Mr. Speaker: Your Committee on Conservation, State Parks and Mining, to which was referred **SCS SB 1015**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Criminal Law**, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1577, HB 1760, HB 1433, HB 1430, HB 1029** and **HB 1700**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Critical Issues, Consumer Protection and Housing**, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HB 1695**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 18

WHEREAS, recent legislative hearings have brought to light serious problems in the ability of young adults to understand and evaluate consumer credit issues, such as credit cards and payday loans; and

WHEREAS, mistakes with financial well-being made in early adulthood can imperil a young adult's credit rating and affect his or her ability to be a productive member of society; and

WHEREAS, the ability to evaluate the soundness and advisability of using particular consumer credit programs is a crucial life skill; and

WHEREAS, the Missouri assessment program communications, mathematics, and social studies assessments for middle school and high school students offer a unique opportunity to gauge the extent of young people's understanding of these issues; and

WHEREAS, the first goal of the Show-Me Standards includes elements such as evaluating information and ideas, and applying acquired information to different contexts as students, workers, citizens, and consumers; and

WHEREAS, in some disciplines, such as consumer and family sciences and business education, extensive work has already been done to chart skills such as comparing various aspects of consumer credit against not only the Show-Me Standards but also national standards and tests; and

WHEREAS, dictating the content of courses by state statute may not always be good public policy, but making known legislative priorities so that existing programs may accommodate those priorities is an obligation of the General Assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, that the Department of Elementary and Secondary Education should:

1) Impanel a group or groups of teachers to determine if consumer credit issues can be addressed in the framework of the Show-Me Standards and, if so, determine what type of questions, including the possibility of performance events, would be appropriate for inclusion in the statewide assessments, as well as addressing the optimum grade level for inclusion, whether middle or high school, or both;

2) If the teacher panels respond favorably to the inclusion of consumer credit questions, determine if and how the assessment instruments can be kept comparable with previous years' instruments as they are rewritten in the ordinary course of test development to incorporate consumer credit elements;

3) Determine what steps would be necessary to track and report statewide average performance on those elements concerning consumer credit issues and advise if it is possible or advisable;

4) Encourage organizations that represent individual curriculum areas, such as communications, mathematics, and social studies, to incorporate analysis of consumer credit issues where appropriate; and

5) Identify and publicize methods besides statewide assessments that could help students and teachers incorporate consumer credit issues in teaching and learning, including professional development opportunities; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Education.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HJR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1717**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Professional Registration and Licensing**, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1090**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SB 726**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SB 1028**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SB 1119**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **SB 1213**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Social Services, Medicaid and the Elderly**, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 13

Whereas, HR 3113, the TANF Reauthorization Act of 2001, was introduced in the United States House of Representatives on October 12, 2001, which would reform the Temporary Assistance for Needy Families program to make it clear that the program's principal focus is the long-term reduction of poverty rather than a short-term immediate reduction in the welfare rolls; and

Whereas, HR 3113 would also make it clear that postsecondary education is a work activity under the TANF program by providing access to postsecondary education for TANF recipients as a permissible work activity; and

Whereas, in the United States, education has always been a route to economic self-sufficiency and social mobility; and



Whereas, in the twenty-first century, at least one year of postsecondary education will become increasingly more essential for all workers; and

Whereas, TANF does not currently extend our nation's commitment to educational opportunity to persons living in poverty with their children, but who are ready, willing, and able to benefit from postsecondary education; and

Whereas, data from several studies has demonstrated that the additional earning capacity that a postsecondary education provides can make the difference between economic self-sufficiency and continued poverty for many TANF recipients; and

Whereas, among families headed by African American, Latino, and Caucasian women, the poverty rate declines from fifty-one, forty-one, and twenty-two percent to twenty-one, eighteen and one-half, and thirteen percent, respectively, with at least one year of postsecondary education; and

Whereas, further data has found that postsecondary education not only increases incomes, it also improves self-esteem, increases children's education ambitions, including aspiring to enter postsecondary education themselves, and has a dramatic impact on quality of life; and

Whereas, now more than ever TANF recipients need postsecondary education to obtain the knowledge and skills required to compete for jobs and enable them to lift themselves and their children out of poverty in the long-term; and

Whereas, without some postsecondary education, most women who leave welfare for employment will earn wages that place them far below the federal poverty level, even after five years of employment; and

Whereas, allowing TANF recipients to attend postsecondary education, even for a short time, will improve their earning potential significantly, with the average person who attends a community college, even without graduating, earning approximately ten percent more than those persons who do not attend postsecondary education at all; and

Whereas, women who receive TANF assistance clearly appreciate the importance and role of postsecondary education in moving them out of poverty to long-term economic self-sufficiency; and

Whereas, as of November 1999, at least nineteen states had considered or enacted strategies to support recipient's efforts to achieve long-term economic self-sufficiency through the pursuit of postsecondary education:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, support HR 3113, the TANF Reauthorization Act of 2001; and

Be it further resolved that the General Assembly urges Missouri's Congressional delegation to support the passage of HR 3113, the TANF Reauthorization Act of 2001; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of Missouri's Congressional delegation.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 3**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCR 15**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 58**.

SENATE CONCURRENT RESOLUTION NO. 58

An act by concurrent resolution and pursuant to Article IV, Section 8, Missouri Constitution, to disapprove Rule 20 CSR 500-6.700 and direct the Department of Insurance to promulgate an emergency rule and a proposed rule as required by Section 287.135, RSMo.

WHEREAS, in 1993, the General Assembly enacted Senate Bill No. 251 containing the provision now codified at Section 287.135, RSMo, which requires the Department of Insurance to promulgate rules to determine the criteria by which a workers' compensation insurer may reimburse fees charged by a managed care organization ("MCO"); and

WHEREAS, the Department of Insurance promulgated Rule 20 CSR 500-6.700 which would become effective thirty days after publication in the Code of State Regulations; and

WHEREAS, the Department of Insurance has filed proposed rulemakings on at least 7 occasions but have failed to finalize such proposed rulemakings with the filing of an order of rulemaking with the Joint Committee on Administrative Rules and the Secretary of State; and

WHEREAS, the Joint Committee on Administrative Rules has held at least two hearings on previous rules proposed by the Department; and

WHEREAS, nearly ten years have passed since the Department of Insurance was directed to promulgate rules to determine the criteria by which workers' compensation insurers may reimburse fees charged by managed care organizations; and

WHEREAS, numerous managed care organizations were organized for the purpose of providing services in workers' compensation matters; and

WHEREAS, workers' compensation insurers have denied claims for payment from managed care organizations due to the absence of the rule required pursuant to Section 287.135, RSMo; and

WHEREAS, numerous managed care organizations have suffered financial losses due to their denied claims for services; and

WHEREAS, the Joint Committee on Administrative Rules held a hearing on March 7, 2002, and by a unanimous vote disapproved Rule 20 CSR 500-6.700 and recommends that the General Assembly act to disapprove and suspend Rule 20 CSR 500-6.700; and

WHEREAS, the Joint Committee on Administrative Rules directed the Department of Insurance to promulgate an emergency rule and a proposed rule with a sunset of December 31, 2002, which would provide a mechanism to pay managed care organizations, including those whose claims have been denied since the passage of Senate Bill No. 251 in 1993, based on the absence of a rule as required pursuant to Section 287.135, RSMo; and

WHEREAS, the Department of Insurance agreed to abide by the directions of the Joint Committee on Administrative Rules relating to the promulgation of an emergency and proposed rule; and

WHEREAS, the Department of Insurance to date has failed and refused to abide by the directions of the Joint Committee on Administrative Rules relating to the promulgation of an emergency and proposed rule:

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby disapprove proposed Rule 20 CSR 500-6.700; and

BE IT FURTHER RESOLVED, that the General Assembly hereby directs the Department of Insurance to promulgate an emergency rule and a proposed rule with a sunset of December 31, 2002, which would provide a mechanism to pay managed care organizations, including those whose claims have been denied since the passage of Senate Bill No. 251 in 1993, based on the absence of a rule as required pursuant to Section 287.135, RSMo; and

BE IT FURTHER RESOLVED that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the revocation upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-first General Assembly, Second Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that a properly inscribed copy be presented to the Governor in accordance with Article IV, Section 8 of the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 10, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Forty-eighth Day, Monday, April 8, 2002, pages 987 and 988, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 991 and 992, roll call, by showing Representative Berkstresser voting "aye" rather than "absent with leave".

Page 994, roll call, by showing Representative Graham voting "no" rather than "absent with leave".

Page 994, roll call, by showing Representative Berskstresser voting "aye" rather than "absent with leave".

Pages 995 and 996, roll call, by showing Representative Berkstresser voting "aye" rather than "absent with leave".

## COMMITTEE MEETINGS

### AGRICULTURE

Wednesday, April 10, 2002. Hearing Room 7 upon morning recess.  
Executive Session may follow. AMENDED. Senate Bills to be heard first.  
Public Hearing to be held on: HB 2204, SB 737, SB 865, SB 1071

### BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 10, 2002. Hearing Room 3 upon morning recess.  
Executive Session may follow.  
Public Hearing to be held on: SB 895

### CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 10, 2002. Hearing Room 1 upon morning recess.  
Public Hearing to be held on: SB 758, SB 916, SB 932, SB 1247, SB 1258

### CORRECTIONAL & STATE INSTITUTIONS

Wednesday, April 10, 2002, 9:00 a.m. Hearing Room 7.  
Executive Session may follow.  
Public Hearing to be held on: HB 2016, SB 645, SB 804, SB 1041

### CRIMINAL LAW

Wednesday, April 10, 2002, 8:00 p.m. Hearing Room 7. AMENDED.  
Executive Session to follow.  
Public Hearing to be held on: SB 642, SB 1070, SB 1102

### EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, April 10, 2002, 8:00 am. Hearing Room 3.  
Executive Session may follow on HB 1034.  
Public Hearing to be held on: HB 1893, HB 1940, HB 1941, SB 794, SB 859, SB 874, SB 1050

### EDUCATION - HIGHER

Wednesday, April 10, 2002. Hearing Room 5 upon noon recess or 12:15pm.  
Executive Session.  
Public Hearing to be held on: SB 776, SB 947, SB 1212

### ELECTIONS

Wednesday, April 10, 2002, 8:30 am. Hearing Room 4.  
Executive Session will follow.  
Public Hearing to be held on: SB 962

### ENVIRONMENT AND ENERGY

Wednesday, April 10, 2002. Side gallery upon morning recess.  
Executive Session.  
Public Hearing to be held on: HB 1599

ENVIRONMENT AND ENERGY

Thursday, April 11, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

Public Hearing to be held on: SB 708, SB 821, SB 1011, SB 1012, SB 1163

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, April 11, 2002, 8:30 a.m. Hearing Room 6.

Executive Session will follow.

Public Hearing to be held on: HB 1443, SB 812

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 18, 2002. Senate Lounge upon noon adjournment.

Rule Number 19 CSR 30-82.010, 19 CSR 30-83.010, 12 CSR 10-24.326.

JUDICIARY

Thursday, April 11, 2002, 9:30 a.m. Member Lounge in back of House Chamber.

Executive Session to be held on: SB 742, SB 749, SB 1251

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 10, 2002, 8:45 am. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: HB 2118, HB 2144, SB 1143, SB 1220

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, April 11, 2002, 9:30 am. Side gallery.

Executive Session.

MUNICIPAL CORPORATIONS

Wednesday, April 10, 2002. Hearing Room 4 upon morning recess.

Public Hearing to be held on: HB 1931, SB 1124, SB 1132, SB 1217

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 11, 2002, 9:00 a.m. Hearing Room 1.

Executive Session.

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Thursday, April 11, 2002, 9:30 a.m. Member Lounge in back of House Chamber.

Executive Session will follow.

Public Hearing to be held on: SB 993

RETIREMENT

Wednesday, April 10, 2002, 7:00 p.m. Hearing Room 1.

Executive Session may follow.

Public Hearing to be held on: SB 967, SB 1001

**SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS**

Thursday, April 11, 2002, 9:30 a.m. Side gallery.

Executive Session to be held on: HCR 24

**TRANSPORTATION**

Wednesday, April 10, 2002. Hearing Room 6 upon morning recess.

Executive Session to follow.

Public Hearing to be held on: SB 701, SB 775, SB 891, SB 950, SB 970, SB 974, SB 988, SB 1199, SB 1202

**URBAN AFFAIRS**

Wednesday, April 10, 2002, 8:30 am. House Lounge.

Executive Session.

Public Hearing to be held on: SB 961, SB 1039

**HOUSE CALENDAR**

FIFTIETH DAY, WEDNESDAY, APRIL 10, 2002

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HJR 28 - Villa

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1654 & 1156, HS, as amended, pending - Hosmer
- 2 HCS HB 1502 & 1821 - Luetkenhaus
- 3 HCS HB 1735 - Hoppe
- 4 HB 1058 - Haywood
- 5 HCS HB 1756 - Reid
- 6 HB 1460 - Hilgemann
- 7 HCS HB 1509 & 1510 - Curls
- 8 HCS HB 1143 - Rizzo
- 9 HCS HB 1888 - Barnitz
- 10 HCS HB 1962 - Monaco
- 11 HCS HB 1527 - Graham
- 12 HCS HB 1809 - Sanders Brooks
- 13 HB 1726 - Walton
- 14 HCS HB 1729, 1589 & 1435 - Barnitz
- 15 HCS HB 1717 - Foley
- 16 HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Campbell
- 17 HCS HB 1695 - Selby
- 18 HB 1090 - Reynolds

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 13, (4-9-02) - Bowman
- 2 HCR 18, (4-9-02) - Wilson (42)

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1306, E.C. (Fiscal Review 4-2-02) - Williams
- 3 HS HB 1455, E.C. - O'Toole
- 4 HB 1773, E.C. - Shelton
- 5 HCS HB 1443, (Fiscal Review 4-9-02) - Barry
- 6 HB 1489 - Britt
- 7 HCS HB 1692 - Overschmidt
- 8 HB 1488 - Skaggs
- 9 HB 1850 - O'Toole

**HOUSE BILL FOR THIRD READING - CONSENT**

HB 2155 - Willoughby

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 1872 - Hosmer

**SENATE CONCURRENT RESOLUTION FOR SECOND READING**

SCR 58

**BILL IN CONFERENCE**

SCS HCS HB 1115 - Green (73)

**HOUSE RESOLUTIONS**

- 1 HR 341, (3-7-02, page 518) - Ladd Baker
- 2 HR 281, (4-9-02) - Hampton



# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTIETH DAY, WEDNESDAY, APRIL 10, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God: the beauty of this Missouri morning lifts the heart. Lift the men and women of this House as they seek resolution of issues that are both significant and difficult to resolve. Keep before them the absolute of honesty and protect them from all that is narrow, self-serving or irritable.

O Lord, where they are tired refresh them. Where they are angry calm them. May what they do be so clearly right that it needs no spin. Lift them for the business of this day, and to You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rylee Scott, Jonathan Gehrin, Brittany Jacobsen, Leslie Lock, Caitlin Benning, Danny Nesler, Ryan Kiecher, Andy Doerr, Natalie Kaiser, Pete Petri, Sammie Stanley, Westin Miller, Lauren Miller, Hoang Phan, Krista Miesner, Anthony Wunderlich, Mary Conner, Joseph Moore, Julia Lee, Jessica Magee and Lindsay Miller.

The Journal of the forty-ninth day was approved as corrected.

## HOUSE RESOLUTION

**House Resolution No. 963** was taken up by Representative Naeger and read.

### HOUSE RESOLUTION NO. 963

Whereas, it is with special pleasure that the members of the Missouri House of Representatives pause to acknowledge the important role which this state's public schools play in the educational development of countless Missouri youngsters; and

Whereas, Altenburg School District 48 in Altenburg, Missouri, is one of a select group of school districts that was honored during the Distinction in Performance Awards Dinner to be held March 26, 2002, in Cape Girardeau; and

Whereas, Altenburg School District 48 enjoys the honor, glory, and distinction of being among 187 of the state's 524 school districts to earn this prestigious award; and

Whereas, sponsored by the Missouri Department of Elementary and Secondary Education, the Distinction in Performance Award was established to recognize school districts with high or improved performance based upon Annual Performance Report (APR) information; and

Whereas, to qualify for Distinction in Performance, Altenburg School District 48 had to meet eleven of the twelve possible Performance Indicators required for K-12 districts; and

Whereas, in order to receive the Distinction in Performance Award, Altenburg School District 48 also had to meet all MAP Performance Standards; and

Whereas, Altenburg School District 48 continues a proud tradition of excellence by providing quality education under the outstanding leadership of teachers, faculty, and staff, all of whom are to be applauded for their hard work and tremendous dedication in reaching this impressive achievement:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, unanimously join in extending our most hearty congratulations and best wishes to Superintendent Richard E. "Rick" Hoffman and to the students, administrators, faculty, and staff within Altenburg School District 48 at this proud moment of well-deserved distinction; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Altenburg School District 48 in Altenburg, Missouri.

#### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1186 - Representative Davis  
House Resolution No. 1187 - Representative Ostmann, et al  
House Resolution No. 1188  
and  
House Resolution No. 1189 - Representative Smith  
House Resolution No. 1190  
and  
House Resolution No. 1191 - Representative Mayer  
House Resolution No. 1192 - Representative Cooper  
House Resolution No. 1193  
through  
House Resolution No. 1195 - Representative Behnen  
House Resolution No. 1196 - Representative Froelker  
House Resolution No. 1197 - Representative Moore  
House Resolution No. 1198 - Representative Abel

#### **SECOND READING OF SENATE CONCURRENT RESOLUTION**

**SCR 58** was read the second time.

#### **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1869**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

## PERFECTION OF HOUSE BILL

**HCS HBs 1654 & 1156, with HS, as amended, pending**, relating to the protection of the elderly, was taken up by Representative Hosmer.

Representative Berkowitz offered **House Amendment No. 3**.

### *House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, by inserting at the appropriate location the following section:

**“198.074. 1. Long term care facilities, adult day care facilities, residential care facilities I and residential care facilities II shall make immunizations for influenza and pneumonia available to residents sixty-five years of age or older, on-site on a yearly basis or upon admission. Written consent for such immunizations shall be given by the resident and his or her physician. The department shall prescribe by rule, the manner by which such facilities shall document compliance with this section, including documenting residents who refuse to be immunized. The department shall not impose a violation on a licensee for not making an immunization available if there is a shortage of that immunization in this state as determined by the director of the department of health and senior services.**

**2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Berkowitz, **House Amendment No. 3** was adopted.

Representative Kelly (27) offered **House Amendment No. 4**.

### *House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, by inserting at the appropriate location the following sections:

**"Section 2. 1. Any skilled nursing facility licensed pursuant to chapter 198, RSMo, that provides health care and related services which are paid to or reimbursed by the state of Missouri to such facility in a total amount in excess of one hundred thousand dollars in a calendar year shall not use any such state moneys for any purpose not directly related to the provision of health care services.**

**2. Any skilled nursing facility that makes expenditures not directly related to the provision of health care services shall maintain sufficient records to show that no state moneys are used for such expenditures. The facility shall, upon request, provide such records to the division of medical services within the department of social services. Such records shall be subject to audit by the state of Missouri.**

**3. Any facility subject to this section shall annually submit certification to the division of medical services that no state moneys will be expended for any purpose not directly related to the provision of health care services. Any facility that does not submit such annual certification shall be subject to a fine of not less than five hundred dollars and fifty dollars a day for each day such certification is not provided to the division.**

**4. Any skilled nursing facility that fails to maintain or provide the division with the records required**

in this section when requested by the division shall be subject to a fine of not less than one thousand dollars and one hundred dollars a day for each day such records are not maintained or provided to the division.

5. Any skilled nursing facility that expends state moneys in violation of this section is liable to the state for double the amount of any state moneys expended in violation of this section. For purposes of accounting expenditures, if state moneys and other moneys are commingled, any expenditure made for any purpose not directly related to the provision of health care services shall be allocated between state moneys and other moneys on a pro rata basis.

6. Any person may file a complaint with the division of medical services if such person believes that a skilled nursing facility is expending state moneys in violation of this section. Upon the filing of such complaint, the director of the division shall, within five business days, direct the facility to produce sufficient records and documentation to show that no state moneys have been or are being expended in violation of this section.

7. Any person who knowingly authorizes the use of state moneys for any purpose prohibited by this section shall be liable to the state for double the amount of such expenditures.

8. Nothing in this section shall be construed as prohibiting any individual from filing a cause of action for a violation of this section.

Section 3. 1. A skilled nursing facility subject to the provisions of this section shall not discharge, demote, threaten, or otherwise discriminate against any individual or employee with respect to compensation, terms, conditions, or privileges of employment because such individual or employee, or any person acting at the request of the employee, provided or attempted to provide information to the division of medical services regarding possible violations of section 2 of this act.

2. Any individual, employee, or former employee subject to this section who believes that he or she has been discharged or otherwise discriminated against in violation of this section may file a civil action within three years of the date of such discharge or discrimination.

3. If a court of competent jurisdiction finds by a preponderance of the evidence that a violation of this section has occurred, the court may grant such relief as it may consider appropriate, including but not limited to:

- (1) Reinstatement of the employee to the employee's former position;
- (2) Compensatory damages, costs, and reasonable attorney fees; and
- (3) Other relief to remedy the past discrimination.

4. The protections of this section shall not apply to any individual, employee, or former employee who:

- (1) Deliberately causes or participates in the alleged violation of law or rule; or
- (2) Knowingly or recklessly provides substantially false information to the division of medical services.";

and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 4** was adopted.

Representative Clayton offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, Page 110, Section 198.094, Line 2, by inserting after all of said line the following:

**"198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining senior housing within its corporate limits.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Clayton, **House Amendment No. 5** was adopted.

Representative Myers offered **House Amendment No. 6**.

**House Amendment No. 6** was withdrawn.

Representative Barry offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, by inserting at the appropriate location the following sections:

"198.665. 1. As used in this section, the following terms mean:

- (1) "Direct caregiver", a certified nurse assistant (CNA);
- (2) "Facility", the same meaning as defined in section 198.006;
- (3) "MCLI", Missouri career ladder initiative.

2. On or before July 1, 2003, the department of health and senior services shall, subject to appropriations, establish a program to be known as the "Missouri Career Ladder Initiative". Such program shall provide education, training, and mentoring opportunities for direct caregivers. The program shall consist of the following:

- (1) The program shall be available to fifty facilities based upon competitive grants provided by the state;
- (2) Facilities may submit an application to participate in the program and applicants will be selected based upon interest of caregivers within a facility and any other criteria established by the department;
- (3) The program shall consist of the following three levels of participation, with each level consisting of eight weeks of training with a minimum of four hours of training per week:

- (a) Level 1: individualized care;
- (b) Level 2: pioneering approaches to quality of life; and
- (c) Level 3: leadership and team building approaches;

(4) After each successful completion of a level by a caregiver, the facility shall provide documentation to the department that such caregiver has successfully completed a level of the program. Subject to appropriations, the department shall, on a quarterly basis, provide the following amounts to facilities to give to caregivers who complete each level of the program:

- (a) Level 1: seventy-five dollars per quarter;
- (b) Level 2: one hundred fifty dollars per quarter; and
- (c) Level 3: two hundred fifty dollars per quarter.

3. The department shall provide facilities with the materials and technical assistance needed to provide the education, training, and mentoring for the program. In addition, each facility participating in the program shall, subject to appropriations, receive ten thousand dollars to administer the program in accordance with the guidelines established by the department.

4. Subject to appropriations, a caregiver that completes the program may continue to earn up to an additional one thousand dollars a year if such caregiver participates in a continuing education program developed and approved by the department. In developing such continuing education program, the department shall establish a mentoring program for caregivers who provide leadership, education, and training to newly hired caregivers within the facility.

5. The department may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

198.668. 1. Subject to appropriations, the department of health and senior services shall develop a plan to promote the nursing profession for long-term care facilities. Such plan shall implement the following:

- (1) Promote the nursing profession through grants and low-interest loans to schools of nursing;
- (2) Establish a scholarship and loan repayment program for persons interested in becoming a caregiver in a long-term care facility. Such program should also assist certified nursing assistants to further their education in the long-term care field; and
- (3) Establish an internship program for training in long-term specialty care areas.

**2. The department may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Monaco raised a point of order that **House Amendment No. 6** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

**House Amendment No. 6** was withdrawn.

Representative Monaco offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, Page 133, Section 660.030, Line 12 of said page, by striking the words "**between attorney and client**" on said line and inserting in lieu thereof the words: "**the privileges provided by section 491.060(3) and 491.060(4) RSMo.**".

On motion of Representative Monaco, **House Amendment No. 6** was adopted.

Representative Luetkemeyer offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, Page 65, Section 198.026, Line 22, by adding after said line a new subsection 8 to read as follows:

**"8. Any employee of the Missouri department of health and human services before supervising any person performing, conducting or in any way participating in inspections or surveys of facilities must pass all of the required modules of the surveyor minimum qualification test of the United States Centers for Medicare and Medicaid Services."**

Representative Luetkemeyer moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Luetkemeyer offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, by placing the following in the appropriate location:

**"198.046. If a private-pay skilled nursing facility has a private-pay resident who has resided in the facility for a period in excess of one year prior to becoming eligible for Medicaid reimbursement, the facility may receive Medicaid reimbursement on behalf of such resident without meeting the need in section 197.327, RSMo."; and**

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Hosmer raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Luetkemeyer, **House Amendment No. 8** was adopted.

Representative Scheve offered **House Amendment No. 9**.

**House Amendment No. 9** was withdrawn.

Representative Crowell offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, Page 14, Section 187.028, Lines 18, 19, 22, 23, by in Lines 18 and 19, by deleting the words “except pursuant to lawful subpoena,”; by in Lines 22 and 23, by deleting all words after the word “designee,”; by in Line 3 on Page 15, by deleting all words after the word “designee,” and before the word “and”; and

Further amend Page 15, Section 187.028, Lines 8, 9, 10, by in Lines 8, 9, 10 deleting all the words after the word “designee” on Line 8 and before the word “or” on Line 10.

Representative Harlan offered **House Substitute Amendment No. 1 for House Amendment No. 9**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, Page 14, Section 187.028, Line 22, by inserting after “**kin**” the following: “**within the third degree of consanguinity**”.

Speaker Pro Tem Abel assumed the Chair.

On motion of Representative Harlan, **House Substitute Amendment No. 1 for House Amendment No. 9** was adopted.

Representative Berkowitz offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, by inserting at the appropriate location a new section to read as follows:

“Section 2. 1. The division of medical services in the department of social services shall promulgate rules to permit a Medicaid reimbursement rate adjustment for participating long-term care facilities that experience a change in ownership. Such rules shall include provisions that:

(1) Permit any participating long-term care facility with a prospective rate to make a written request for an adjustment to its prospective rate due to a change in ownership which occurred within the last four years;

(2) Require such written request to clearly and specifically identify the conditions for which the rate adjustment is sought;

(3) Require that the dollar amount of the requested rate adjustment be supported by complete, accurate and documented records satisfactory to the division of medical services; and

(4) Require the division of medical services to consider a request withdrawn if the division makes a written request for additional information and the facility does not comply within ninety days of such request.

2. A rate adjustment based on a change in ownership shall be permitted if the following conditions are met:

(1) No principal of either the new owner or operating company of the facility was involved in the previous ownership;

(2) The facility must demonstrate that costs have increased as a result of the change of ownership. Increase in costs above the state average as of July 1, 2002, shall not be considered and the provider shall demonstrate that the increase in cost contributed to improved quality of care, life or environment for the residents; and

(3) The facility must demonstrate that current reimbursement is inadequate to meet the cost of providing the improved care, environment, and enhanced quality of life of the resident.

3. The division of medical services shall review on a case-by-case basis any request made by a facility and shall consider improved department of health and senior services surveys, costs prior to and after the change of ownership, licensure applications, as well as any other documentation provided by the facility or requested by the division of medical services. Rate adjustments shall not exceed the calculated pre-resident per-day cost shown on the most recent cost report; except that additional capital components may be considered if the facility can demonstrate that the capital expenditure did in fact enhance the environment for the resident.

4. The rate increase shall be calculated as follows:

(1) The rate adjustment shall be based on either the facility's most recently filed cost report which occurred under the new ownership or on the state average cost, as of July 1, 2002, whichever is lower. The division shall not have the authority to disallow certain cost centers which may be inflated due to the type of ownership or management and may elect to use average state cost in any such disallowed center;

(2) For capitalized costs, a capital component per diem shall be calculated pursuant to 13 CSR 70-10. The rate adjustment shall be the difference between the capital component per diem to the change in ownership and the capital component per diem after the change in ownership.”; and

Further amend title and enacting clause accordingly.

On motion of Representative Berkowitz, **House Amendment No. 10** was adopted.

Representative Naeger offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, Page 67, Section 198.032, Line 21, by placing a “[” before the word inspection on said line; and

Further amend said bill, Section 198.032, Page 67, Line 21 of said page, by placing a “J” after the word “and” on said page; and

Further amend said bill, Section 198.032, Page 68, Line 3 of said page, by inserting before the word “records” on said page the following:



**“Inspection reports shall be confidential and privileged and not admissible in any administrative or judicial proceeding for any purpose except as provided in subsection 1 hereof.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

**HCS HBs 1654 & 1156, with House Amendment No. 11 and HS, as amended, pending,**  
was laid over.

On motion of Representative Crump, the House recessed until 2:15 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1199

and

House Resolution No. 1200 - Representative Ross

House Resolution No. 1201

and

House Resolution No. 1202 - Representative Kelly (27)

House Resolution No. 1203 - Representative Mayer

House Resolution No. 1204 - Representative Thompson

House Resolution No. 1205 - Representative Behnen

House Resolution No. 1206 - Representative Hegeman

House Resolution No. 1207 - Representative Lawson, et al

House Resolution No. 1208 - Representative Hanaway

House Resolution No. 1209 - Representative Kelley (47)

House Resolution No. 1210

and

House Resolution No. 1211 - Representative Crowell

House Resolution No. 1212 - Representative Sanders Brooks

### **PERFECTION OF HOUSE BILLS**

**HCS HBs 1654 & 1156, with House Amendment No. 11 and HS, as amended, pending,**  
relating to the protection of the elderly, was again taken up by Representative Hosmer.

Representative Harlan offered **House Substitute Amendment No. 1 for House Amendment No. 11.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, Page 68, Section 198.032, Line 6, by inserting after all of said line the following:

**“Unsubstantiated inspection reports, and written reports of investigations of complaints shall not be used by insurance carriers for purposes of insurance underwriting.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Harlan, **House Substitute Amendment No. 1 for House Amendment No. 11** was adopted.

Representative Kelly (27) offered **House Amendment No. 12.**

*House Amendment No. 12*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, by inserting in the appropriate location the following:

**“Section 2. A Joint Committee on Nursing Home Medicaid Reimbursement shall be established for the purpose of reviewing the rate-setting process to make recommendations regarding the equity of Medicaid reimbursement of nursing homes. The committee shall consist of five members of the House appointed by the Speaker of the House and five members of the Senate appointed by the President Pro Tem, with no more than three members of the same party from each chamber.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 12** was adopted.

Representative Barry offered **House Amendment No. 13.**

*House Amendment No. 13*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1654 & 1156, by inserting at the appropriate location the following:

**"198.665. 1. As used in this section, the following terms mean:**

- (1) "Direct caregiver", a certified nurse assistant (CNA);**
- (2) "Facility", the same meaning as defined in section 198.006;**
- (3) "MCLI", Missouri career ladder initiative.**

**2. On or before July 1, 2003, the department of health and senior services shall, subject to appropriations, establish a program to be known as the "Missouri Career Ladder Initiative". Such program shall provide education, training, and mentoring opportunities for direct caregivers. The program shall consist of the following:**

- (1) The program shall be available to fifty facilities based upon competitive grants provided by the state;**
- (2) Facilities may submit an application to participate in the program and applicants will be selected based upon interest of caregivers within a facility and any other criteria established by the department;**
- (3) The program shall consist of the following three levels of participation, with each level consisting of eight weeks of training with a minimum of four hours of training per week:**

(a) Level 1: individualized care;  
(b) Level 2: pioneering approaches to quality of life; and  
(c) Level 3: leadership and team building approaches;  
(4) After each successful completion of a level by a caregiver, the facility shall provide documentation to the department that such caregiver has successfully completed a level of the program. Subject to appropriations, the department shall, on a quarterly basis, provide the following amounts to facilities to give to caregivers who complete each level of the program:

- (a) Level 1: seventy-five dollars per quarter;  
(b) Level 2: one hundred fifty dollars per quarter; and  
(c) Level 3: two hundred fifty dollars per quarter.

3. The department shall provide facilities with the materials and technical assistance needed to provide the education, training, and mentoring for the program. In addition, each facility participating in the program shall, subject to appropriations, receive ten thousand dollars to administer the program in accordance with the guidelines established by the department.

4. Subject to appropriations, a caregiver that completes the program may continue to earn up to an additional one thousand dollars a year if such caregiver participates in a continuing education program developed and approved by the department. In developing such continuing education program, the department shall establish a mentoring program for caregivers who provide leadership, education, and training to newly hired caregivers within the facility.

5. The department may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

198.668. 1. Subject to appropriations, the department of health and senior services shall develop a plan to promote the nursing profession for long-term care facilities. Such plan shall implement the following:

- (1) Promote the nursing profession through grants and low-interest loans to schools of nursing;  
(2) Establish a scholarship and loan repayment program for persons interested in becoming a caregiver in a long-term care facility. Such program should also assist certified nursing assistants to further their education in the long-term care field; and  
(3) Establish an internship program for training in long-term specialty care areas.

2. The department may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

3. As defined in said sections, "subject to appropriations" shall mean that the provisions of sections 198.665 and 198.668 shall not take effect unless funding becomes available from funds appropriated by the General Assembly from the intergovernmental transfer funds. Should the intergovernmental transfer funds lapse said provision of sections 198.665 and 198.668 shall also lapse unless the General Assembly appropriates said funds in advance to cover the programs"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Amendment No. 13** was adopted.

On motion of Representative Hosmer, **HS HCS HBs 1654 & 1156, as amended**, was adopted.

On motion of Representative Hosmer, **HS HCS HBs 1654 & 1156, as amended**, was ordered perfected and printed.

**HCS HB 1756**, relating to HIV testing of sexual offenders, was taken up by Representative Reid.

Representative Reid offered **HS HCS HB 1756**.

Representative Reid offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1756, Page 2, Section 191.656, Lines 8 to 20 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"56, RSMo, and pursuant to section 191.657;

(d) **Prosecuting attorneys or circuit attorneys as defined in chapter 56, RSMo, to prosecute cases pursuant to section 191.677 or 567.020, RSMo. Prosecuting attorneys or circuit attorneys may obtain from the department of health the contact information and test results of individuals with whom the HIV-infected individual has had sexual intercourse or deviate sexual intercourse. Any prosecuting attorney or circuit attorney who receives information from the department of health and senior services pursuant to the provisions of this section shall use such information only for investigative and prosecutorial purposes and such information shall be considered strictly confidential and shall only be released as authorized by this section;**

[(d)] (e) Persons other than public employees who are entrusted"; and

Further amend said bill, Page 3, Section 191.656, Lines 1 to 10, by deleting all of said lines and inserting in lieu thereof the following:

"[(e)] (f) As authorized by subsection 2 of this section;

(g) **Victims of any sexual offense defined in chapter 566, RSMo, which includes sexual intercourse or deviate sexual intercourse, as an element of the crime or to a victim of a section 566.135, RSMo, offense, in which the court, for good cause shown, orders the defendant to be tested for HIV, hepatitis B, hepatitis C, syphilis, gonorrhea, or chlamydia, once the charge is filed. Prosecuting attorneys or circuit attorneys, or the department of health and senior services may release information to such victims;"**; and

Further amend said bill, Page 4, Section 191.656, Line 14, by deleting all of said line and inserting in lieu thereof the following: **"B, hepatitis C, syphilis, gonorrhea, or chlamydia, once the charge is filed;"**; and

Further amend said bill, Page 4, Section 191.656, Line 18, by deleting all of said line and inserting in lieu thereof the following: **"The department of health and senior services and its"**; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Reid, **House Amendment No. 1** was adopted.

Representative Portwood offered **House Amendment No. 2.**

Representative Reid raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Clayton offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1756, Page 8, Section 191.677, Lines 23 through 24, by deleting all of said lines; and

Further amend said bill, Page 9, Section 191.677, Lines 1 through 14, by deleting all of said lines; and

Revise intersectional references accordingly.

**HCS HB 1756, with House Amendment No. 2 and HS, as amended, pending,** was laid over.

**MOTION**

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 002

Lograsso Wright

ABSENT WITH LEAVE: 008

Baker Burcham Burton Hollingsworth Johnson 61  
Scott St. Onge Van Zandt

VACANCIES: 001

## PERFECTION OF HOUSE BILLS

**HCS HB 1756, with House Amendment No. 2 and HS, as amended, pending**, relating to HIV testing of sexual offenders, was again taken up by Representative Reid.

On motion of Representative Clayton, **House Amendment No. 2** was adopted.

Representative Smith offered **House Amendment No. 3**.

Representative Reid raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Portwood offered **House Amendment No. 3**.

### *House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1756, Page 3, Section 191.656, Line 10, by inserting the following:

**“Any individual who has tested positive or false positive to HIV, Hepatitis B, Hepatitis C, Syphilis, Gonorrhea, or Chlamydia, may request copies of any and all test results relating to said infections.”.**

On motion of Representative Portwood, **House Amendment No. 3** was adopted.

On motion of Representative Reid, **HS HCS HB 1756, as amended**, was adopted.

On motion of Representative Reid, **HS HCS HB 1756, as amended**, was ordered perfected and printed.

**HCS HBs 1502 & 1821**, relating to insurance, was taken up by Representative Luetkenhaus.

Representative Luetkenhaus offered **HS HCS HBs 1502 & 1821**.

Representative Clayton assumed the Chair.

Representative Smith offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1502 & 1821, Page 1, Section 375.918.1(1), Line 15, by inserting after the word “insurance” the following:

“**including rate-making that results in surcharges, ineligibility for discounts, placement in a higher-rated tier or placement in a higher-rated company of an insurance group**”, and by placing a “[“ before the word “an” on Line 15, and a closing “]” after the word “action” on Line 17; and

Further amend said bill, Page 2, Section 375.918.1(7), Line 18, by inserting after the word “contract” the following: “**and the rate to be charged for coverage under the contract**”.

Representative Monaco assumed the Chair.

Representative Smith moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Berkowitz	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Clayton	Copenhaver	Curls	Foley
Franklin	Fraser	Gambara	Graham	Green 15
Green 73	Hagan-Harrell	Harding	Harlan	Haywood
Hickey	Hilgemann	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Lowe	Mays 50	McKenna	Monaco	Murphy
Reynolds	Rizzo	Scheve	Selby	Shoemyer
Skaggs	Smith	Thompson	Troupe	Van Zandt
Walker	Walton	Williams	Willoughby	Wilson 25
Wilson 42				

NOES: 087

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkstresser	Black
Boatright	Champion	Cierpiot	Cooper	Crawford
Crowell	Crump	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Froelker
Gaskill	Gratz	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Holt	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Liese	Linton
Lograsso	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Merideth	Miller	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Secrest	Seigfreid	Shields	Surface	Townley
Treadway	Villa	Vogel	Wagner	Ward
Whorton	Wright			

PRESENT: 002

Byrd                      Cunningham

ABSENT WITH LEAVE: 017

Baker	Bartle	Burcham	Burton	George
Hollingsworth	Koller	Lawson	Long	Moore
O'Toole	Reid	Scott	Shelton	Shoemaker
St. Onge	Mr. Speaker			

VACANCIES: 001

Representative Smith requested a verification of the roll call on the motion to adopt **House Amendment No. 1.**

Representative Johnson (90) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1502 & 1821, Page 3, Section 375.918, Line 3, by inserting an opening bracket “[“ before the word “without” and a closing bracket “]” on Line 6 after the word “insurance”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Johnson (90) offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

Representative Abel raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 2** violates House Rule 121.

Representative Henderson raised an additional point of order that **House Substitute Amendment No. 1 for House Amendment No. 2** is not a true substitute amendment.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the first point of order well taken.

Representative Fraser offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1502 & 1821, Page 3, Section 375.918, Line 3, by inserting an opening bracket “[“ before the “,” and inserting a closing bracket “]” on Line 6 after the word “insurance”; and

Further amend said title, enacting clause and intersectional references accordingly.



**HCS HBs 1502 & 1821, with House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 2 and HS, pending, was laid over.**

### **RE-REFERRAL OF SENATE BILL**

The following Senate Bill was re-referred to the Committee indicated:

**SB 993** - Local Government and Related Matters

### **COMMITTEE REPORTS**

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SCS SB 737**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Agriculture, to which was referred **SB 865**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Agriculture, to which was referred **SCS SB 1071**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1936**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1216**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Higher**, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **SCS SB 776**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Higher, to which was referred **SCS SB 947**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Education-Higher, to which was referred **SCS SB 1212**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Elections**, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SB 962**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Insurance**, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SCS SB 656**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Insurance, to which was referred **SCS SB 729**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1656**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HJR 51**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 16

An act by concurrent resolution and pursuant to Title 40, Section 187, United States Code, to request the Joint Committee on the Library of Congress to approve the replacement of a statue in the Statuary Hall of the Capitol of the United States.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Whereas, 40 U.S.C. Section 187 permits a state to ask the Joint Committee on the Library of Congress for replacement of a statue it provided for display in the National Statuary Hall in the Capitol of the United States after the passage of the required display time period specified in 40 U.S.C. Section 187a; and

Whereas, that request must be made by a resolution adopted by the legislature of the state and approved by the Governor; and

Whereas, in 1895, the Missouri General Assembly authorized placement of statues of Thomas Hart Benton and Francis Preston Blair in Statuary Hall, which statues were placed there in 1899; and

Whereas, Francis Preston Blair was an outstanding Missourian, a member of Congress, a major general in the United States Army during the Civil War, and a candidate for Vice President of the United States; and

Whereas, Harry S Truman was the most important statesman Missouri ever gave the nation, an outstanding county official, United States Senator, Vice President and President of the United States who brought the Second World War to completion, led the free world at the beginning of the Cold War, and stood for fairness and opportunity for all Americans:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby request approval from the Joint Committee on the Library of Congress to replace the statue of Francis Preston Blair with a statue of Harry S Truman as one of the two statues Missouri is entitled to display in the Statuary Hall of the United States Capitol; and

Be it further resolved that the Missouri General Assembly requests the Statue of Francis Preston Blair be returned to the State of Missouri as permitted under 40 U.S.C. Section 187a(d); and

Be it further resolved that this resolution be sent to the Governor for his approval or rejection; and

Be it further resolved that upon approval by the Governor, the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Joint Committee on the Library of Congress in care of the chair of the committee and to each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1350**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1627**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1988**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1307**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Municipal Corporations**, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **SB 1124**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **SCS SB 1132**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **SB 1217**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Tourism, Recreation and Cultural Affairs**, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 831**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SCS SB 1151**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SCS SB 1210**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 1243**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1508**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1115**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1115 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1115.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1115.
3. That the attached Conference Committee Substitute for House Bill No. 1115, be truly agreed to and finally passed.

**FOR THE SENATE:**

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

**FOR THE HOUSE:**

/s/ Rep. Timothy P. Green  
/s/ Rep. Charles “Quincy” Troupe  
/s/ Rep. Marsha Campbell  
/s/ Rep. Ken Legan  
/s/ Rep. Carl Bearden

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 20**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 969, 673 & 855**, entitled:

An act to repeal sections 43.540, 217.690, 556.061, 589.400, 589.410, 589.417 and 632.483, RSMo, relating to sexual offenses, and to enact in lieu thereof thirteen new sections relating to the same subject, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following members’ presence was noted: Scott and Burton.

**ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Thursday, April 11, 2002.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Forty-ninth Day, Tuesday, April 9, 2002, pages 1006 and 1007, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1006 and 1007, roll call, by showing Representatives Moore and Myers voting "no" rather than "absent with leave".

Pages 1009 and 1010, roll call, by showing Representatives Secrest and Wright voting "no" rather than "absent with leave".

Pages 1009 and 1010, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1010 and 1011, roll call, by showing Representative Carnahan voting "no" rather than "absent with leave".

Pages 1013 and 1014, roll call, by showing Representatives Barry, Cooper and Hunter voting "aye" rather than "absent with leave".

Pages 1014 and 1015, roll call, by showing Representatives Cunningham and Hunter voting "aye" rather than "absent with leave".

Pages 1015 and 1016, roll call, by showing Representative Purgason voting "aye" rather than "absent with leave".

Pages 1015 and 1016, roll call, by showing Representative Naeger voting "no" rather than "absent with leave".

Pages 1017 and 1018, roll call, by showing Representative Jetton voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, April 11, 2002, 8:00 a.m. Hearing Room 5.

Executive Session to be held on: SB 639, SB 680, SB 695, SB 714, SB 1048, SB 1137, SB 1207, SB 1244, SB 1259

### **CIVIL AND ADMINISTRATIVE LAW**

Thursday, April 11, 2002, 9:00 a.m. Side gallery.

Executive Session to be held on: SB 758, SB 916, SB 932, SB 1247, SB 1258

### **COMMERCE AND ECONOMIC DEVELOPMENT**

Thursday, April 11, 2002. Side gallery upon adjournment.

Executive Session.

### **CORRECTIONAL & STATE INSTITUTIONS**

Thursday, April 11, 2002, 9:30 a.m. Side gallery.

Executive Session.

### **CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Thursday, April 11, 2002, 9:45 a.m. Member Lounge back of House Chamber.

Executive Session may follow.

Public Hearing to be held on: SB 1106

### **EDUCATION - ELEMENTARY AND SECONDARY**

Thursday, April 11, 2002, 9:00 a.m. Hearing Room 3.

Executive Session to be held on: SB 794, SB 859, SB 874, SB 1050

ENVIRONMENT AND ENERGY

Thursday, April 11, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

Public Hearing to be held on: SB 708, SB 821, SB 1011, SB 1012, SB 1163

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, April 11, 2002, 8:30 a.m. Hearing Room 6.

Executive Session will follow.

Public Hearing to be held on: HB 1443, SB 812

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 18, 2002. Senate Lounge upon noon adjournment.

Rule Number 19 CSR 30-82.010, 19 CSR 30-83.010, 12 CSR 10-24.326.

JOINT COMMITTEE ON CORRECTIONS

Tuesday, April 16, 2002, 9:00 a.m. Room 434.

Subcommittee to the Joint Committee on Corrections.

Discuss vocational enterprises.

JUDICIARY

Thursday, April 11, 2002, 9:30 a.m. Member Lounge in back of House Chamber.

Executive Session to be held on: SB 742, SB 749, SB 1251

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, April 11, 2002, 9:30 a.m. Member Lounge back of Chamber.

Executive Session.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Thursday, April 11, 2002, 9:30 a.m. Side gallery.

Executive Session.

PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 11, 2002, 9:00 a.m. Hearing Room 1.

Executive Session.

PUBLIC SAFETY, LAW ENFORCEMENT AND VETERAN AFFAIRS

Thursday, April 11, 2002, 9:30 a.m. Member Lounge in back of House Chamber. Executive Session will follow. CANCELLED.

Public Hearing to be held on: SB 993

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Thursday, April 11, 2002. Side gallery upon adjournment.

Executive Session.

**SPECIAL COMMITTEE ON PUBLIC-PRIVATE PARTNERSHIPS**

Thursday, April 11, 2002, 9:30 a.m. Side gallery.

Executive Session to be held on: HCR 24

**URBAN AFFAIRS**

Thursday, April 11, 2002, 9:50 a.m. Side gallery.

Executive Session. Public Hearing to be held on: SB 961, SB 1039

**WAYS AND MEANS**

Thursday, April 11, 2002, 9:00 a.m. Member Lounge behind House Chamber.

Executive Session.

Public Hearing to be held on: HB 2205

**HOUSE CALENDAR**

FIFTY-FIRST DAY, THURSDAY, APRIL 11, 2002

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 28 - Villa
- 2 HCS HJR 51 - Whorton

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1502 & 1821, HSA 1 for HA 2, HA 2 and HS, pending - Luetkenhaus
- 2 HCS HB 1735 - Hoppe
- 3 HB 1058 - Haywood
- 4 HB 1460 - Hilgemann
- 5 HCS HB 1509 & 1510 - Curls
- 6 HCS HB 1143 - Rizzo
- 7 HCS HB 1888 - Barnitz
- 8 HCS HB 1962 - Monaco
- 9 HCS HB 1527 - Graham
- 10 HCS HB 1809 - Sanders Brooks
- 11 HB 1726 - Walton
- 12 HCS HB 1729, 1589 & 1435 - Barnitz
- 13 HCS HB 1717 - Foley
- 14 HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Campbell
- 15 HCS HB 1695 - Selby
- 16 HB 1090 - Reynolds
- 17 HB 1508 - Koller
- 18 HCS HB 1936 - Berkowitz
- 19 HB 1350 - Liese
- 20 HCS HB 1656 - Wright
- 21 HCS HB 1216 - Johnson (61)



- 22 HB 1627 - Kreider
- 23 HCS HB 1886 - Rizzo
- 24 HB 1307 - Williams
- 25 HB 1988 - Kelly (144)

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

- 1 HCR 13, (4-9-02, Pages 1024 & 1025) - Bowman
- 2 HCR 18, (4-9-02, Pages 1022 & 1023) - Wilson (42)
- 3 HCR 16, (4-10-02) - Farnen

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1306, E.C. (Fiscal Review 4-2-02) - Williams
- 3 HS HB 1455, E.C. - O'Toole
- 4 HB 1773, E.C. - Shelton
- 5 HCS HB 1443, (Fiscal Review 4-9-02) - Barry
- 6 HB 1489 - Britt
- 7 HCS HB 1692 - Overschmidt
- 8 HB 1488 - Skaggs
- 9 HB 1850 - O'Toole
- 10 HB 1869 - Barry

**HOUSE BILL FOR THIRD READING - CONSENT**

HB 2155 - Willoughby

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 1872 - Hosmer

**SENATE BILL FOR SECOND READING**

SS SCS SB 969, 673 & 855

**BILL IN CONFERENCE**

CCR SCS HCS HB 1115 - Green (73)

**HOUSE RESOLUTIONS**

- 1 HR 341, (3-7-02, Page 518) - Ladd Baker
- 2 HR 281, (4-9-02, Pages 1021 & 1022) - Hampton

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTY-FIRST DAY, THURSDAY, APRIL 11, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Lord of Life: the Spring brings bright days and halls that are filled with the boys and girls of Missouri. We give You thanks for the Spring and for the youth of our state and those who teach and nurture them.

This day, may the men and women of this House again seek a partnership with You. Show Your Holy will to them in their highest values and best goals. As they continue to work and worry over our state, protect them from growing weary or cynical or surly or impatient, for Gracious God, You know that we need their best.

To You be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alexandria Anderson, Tommy Copelin, Hope Brill, Renee Terry, Tim Matthews, Kim Chamberlain, Sam Shakelford, Valerie Ventimiglia, Shane Galeski, and Lindsey Lappe.

The Journal of the fiftieth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1213 - Representative Hickey

House Resolution No. 1214

through

House Resolution No. 1226 - Representatives Dempsey and Green (15)

House Resolution No. 1227 - Representative Holand

House Resolution No. 1228

through

House Resolution No. 1235 - Representative Hegeman

House Resolution No. 1236 - Representative Harlan

House Resolution No. 1237

through

House Resolution No. 1239 - Representative Willoughby

## SECOND READING OF SENATE BILL

**SS SCS SBs 969, 673 & 855** was read the second time.

## COMMITTEE REPORTS

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 1443 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1756** and **HS HCS HBs 1654 & 1156**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## THIRD READING OF HOUSE BILLS

**HS HB 1455**, relating to public retirement systems, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HS HB 1455** was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall

Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Brooks	Burcham	Burton	Cooper
Dempsey	Hickey	Lograsso	Murphy	Shields
Shoemaker	St. Onge	Whorton		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Abel	Ballard	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Surface	Thompson

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Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Hohulin	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Barnett	Barnitz	Brooks	Burcham
Burton	Cooper	Dempsey	Kelly 27	Lograsso
Murphy	Shields	Shoemaker	St. Onge	Whorton

VACANCIES: 001

**HB 1773**, relating to compensation for St. Louis police, was taken up by Representative Shelton.

On motion of Representative Shelton, **HB 1773** was read the third time and passed by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brooks	Burcham	Burton	Cooper	Dempsey
Franklin	Harlan	Lograsso	Murphy	St. Onge
Whorton				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Skaggs	Smith	Surface
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Hohulin	Holand	Hunter
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PRESENT: 000

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ABSENT WITH LEAVE: 018

Baker	Barnitz	Brooks	Burcham	Burton
Cooper	Dempsey	Franklin	Harlan	Jetton
Lograsso	Murphy	Purgason	Quinn	Shoemyer
St. Onge	Thompson	Whorton		

VACANCIES: 001

**HB 1489**, relating to county crime reduction funds, was taken up by Representative Britt.

On motion of Representative Britt, **HB 1489** was read the third time and passed by the following vote:

AYES: 116

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Britt	Byrd	Carnahan	Clayton
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dolan	Enz	Fares
Foley	Franklin	Froelker	Gambara	Gaskill
George	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Kelley 47	Kelly 144	Kelly 36	King	Lawson
Legan	Liese	Linton	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Townley	Treadway
Villa	Vogel	Wagner	Ward	Williams
Mr. Speaker				

NOES: 034

Bland	Boykins	Bray 84	Brooks	Campbell
Champion	Cierpiot	Curls	Farnen	Fraser
Graham	Harding	Haywood	Hickey	Hollingsworth
Johnson 61	Jolly	Jones	Kelly 27	Lograsso
Lowe	Monaco	Reynolds	Ridgeway	Shelton
Thompson	Troupe	Van Zandt	Walker	Walton
Willoughby	Wilson 25	Wilson 42	Wright	

PRESENT: 000



ABSENT WITH LEAVE: 012

Ballard	Burcham	Burton	Cooper	Dempsey
Harlan	Holand	Koller	O'Connor	O'Toole
St. Onge	Whorton			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS HB 1443**, relating to safe place for newborns, was taken up by Representative Barry.

On motion of Representative Barry, **HCS HB 1443** was read the third time and passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Ward	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 000

PRESENT: 008

Boykins	Brooks	Curls	Haywood	Johnson 61
Thompson	Walton	Wilson 42		

ABSENT WITH LEAVE: 012

Baker	Burcham	Burton	Cooper	Dempsey
Harlan	Hickey	Koller	O'Connor	Richardson
St. Onge	Whorton			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Smith assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

**HCS HB 1692**, relating to liquor sales, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **HCS HB 1692** was read the third time and passed by the following vote:

AYES: 088

Abel	Baker	Barry 100	Bearden	Berkowitz
Berkstresser	Bland	Bonner	Bowman	Boykins
Bray 84	Britt	Byrd	Campbell	Carnahan
Cierpiot	Clayton	Crowell	Crump	Curls
Daus	Dolan	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Jetton	Johnson 61
Johnson 90	Jones	Kelly 27	Kelly 36	Lawson
Liese	Lowe	Luetkemeyer	Luetkenhaus	McKenna
Merideth	Monaco	Naeger	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Ransdall	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Scheve	Schwab	Selby	Shelton	Shields
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Ward
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 060

Ballard	Barnett	Bartelsmeyer	Bartle	Behnen
Boatright	Boucher	Champion	Copenhaver	Crawford
Cunningham	Davis	Enz	Franklin	Gaskill
Griesheimer	Hampton	Hanaway	Harding	Hendrickson
Hohulin	Holand	Hosmer	Hunter	Jolly
Kelley 47	Kelly 144	King	Legan	Linton
Long	Marble	Marsh	May 149	Mayer
Mays 50	Miller	Moore	Murphy	Myers
Nordwald	Phillips	Purgason	Quinn	Rector
Reid	Richardson	Roark	Ross	Scott
Secrest	Seigfreid	Shoemaker	Shoemyer	Skaggs
Surface	Townley	Walton	Willoughby	Wright

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnitz	Black	Brooks	Burcham	Burton
Cooper	Dempsey	Harlan	Koller	Lograsso
O'Connor	St. Onge	Whorton	Williams	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1488**, relating to Kansas City transportation sales tax, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HB 1488** was read the third time and passed by the following vote:

AYES: 098

Abel	Baker	Barry 100	Berkowitz	Berkstresser
Black	Bland	Bonner	Bowman	Boykins
Bray 84	Britt	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Gambara	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	Lawson	Liese	Long	Lowe
Luetkenhaus	Marsh	Mays 50	McKenna	Merideth
Miller	Monaco	Myers	Nordwald	O'Toole
Ostmann	Overschmidt	Paone	Ransdall	Relford
Reynolds	Rizzo	Robirds	Ross	Scheve
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 049

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Boatright	Byrd	Champion
Cierpiot	Crawford	Crowell	Cunningham	Enz
Froelker	Gaskill	Hampton	Hanaway	Henderson
Hendrickson	Hohulin	Holand	Hunter	Jetton
Kelly 144	King	Linton	Luetkemeyer	Marble
May 149	Mayer	Moore	Murphy	Naeger
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Schwab	Shoemaker	Townley	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 015

Boucher	Brooks	Burcham	Burton	Cooper
Dempsey	George	Koller	Legan	Lograsso
O'Connor	St. Onge	Surface	Van Zandt	Whorton

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1850**, relating to sheriffs, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 1850** was read the third time and passed by the following vote:

AYES: 112

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boucher	Bowman	Boykins	Britt
Byrd	Carnahan	Cierpiot	Clayton	Copenhaver
Crawford	Crump	Curls	Daus	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Rizzo
Robirds	Ross	Scheve	Secrest	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 027

Bartelsmeyer	Bearden	Boatright	Bray 84	Champion
Crowell	Cunningham	Davis	Harding	Harlan
Hosmer	Jetton	Kelly 27	Long	Mayer
Murphy	Naeger	Purgason	Ridgeway	Roark
Schwab	Scott	Seigfreid	Townley	Van Zandt
Williams	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Bonner	Brooks	Burcham	Burton
Campbell	Cooper	Dempsey	Franklin	George

Hickey	Hohulin	Hunter	Koller	Lawson
Legan	Lograsso	Richardson	Skaggs	St. Onge
Surface	Whorton	Willoughby		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1869**, relating to peace officer residency requirements, was taken up by Representative Barry.

Representative Barry moved that **HB 1869** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 070

Ballard	Barnitz	Barry 100	Bartle	Bearden
Berkstresser	Black	Bonner	Boucher	Byrd
Champion	Cierpiot	Crawford	Crump	Cunningham
Dolan	Enz	Fares	Foley	Fraser
Gambaro	Gaskill	Hagan-Harrell	Hanaway	Harding
Harlan	Hartzler	Hegeman	Hendrickson	Holand
Holt	Jetton	Johnson 90	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Lawson	Linton	Lograsso
Luetkemeyer	Luetkenhaus	Marble	McKenna	Monaco
Moore	Naeger	Nordwald	O'Connor	Ostmann
Phillips	Portwood	Purgason	Quinn	Reid
Reinhart	Reynolds	Ridgeway	Roark	Robirds
Ross	Secrest	Selby	Shields	Townley
Treadway	Wagner	Ward	Wright	Mr. Speaker

NOES: 079

Baker	Barnett	Bartelsmeyer	Behnen	Berkowitz
Bland	Boatright	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Copenhaver
Crowell	Curls	Daus	Davis	Farnen
Franklin	Froelker	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hampton	Haywood
Henderson	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Hunter	Johnson 61	Jolly	Jones
King	Legan	Liese	Long	Lowe
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Murphy	Myers	O'Toole	Paone
Ransdall	Rector	Relford	Richardson	Rizzo
Scheve	Schwab	Scott	Shelton	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Troupe
Van Zandt	Villa	Vogel	Walker	Walton
Williams	Willoughby	Wilson 25	Wilson 42	

PRESENT: 001

Abel

ABSENT WITH LEAVE: 012

Burcham	Burton	Clayton	Cooper	Dempsey
Hohulin	Koller	Overschmidt	Seigfreid	St. Onge
Surface	Whorton			

VACANCIES: 001

## BILL IN CONFERENCE

**CCR SCS HCS HB 1115**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **CCR SCS HCS HB 1115** was adopted by the following vote:

AYES: 110

Abel	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkowitz	Black	Bland	Bonner
Boucher	Boykins	Bray 84	Britt	Campbell
Carnahan	Champion	Cierpiot	Copenhaver	Crowell
Curls	Daus	Davis	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Legan	Liese
Lowe	Luetkenhaus	Marsh	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Relford	Rizzo	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 023

Ballard	Bartelsmeyer	Boatright	Byrd	Crawford
Cunningham	Hanaway	Henderson	Holand	Hunter
Jetton	Linton	Luetkemeyer	Marble	May 149
Purgason	Reinhart	Richardson	Ridgeway	Roark
Robirds	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 029

Baker	Barry 100	Berkstresser	Bowman	Brooks
Burcham	Burton	Clayton	Cooper	Crump
Dempsey	Graham	Harlan	Hohulin	Hosmer

Kelly 27	Koller	Lawson	Lograsso	Long
Murphy	Naeger	Nordwald	O'Toole	Reynolds
Shelton	St. Onge	Surface	Whorton	

VACANCIES: 001

On motion of Representative Green (73), **CCS SCS HCS HB 1115** was read the third time and passed by the following vote:

AYES: 112

Abel	Baker	Barnett	Barnitz	Bearden
Behnen	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Champion	Cierpiot	Copenhaver
Crowell	Crump	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Hegeman	Hendrickson	Hilgemann	Hollingsworth	Holt
Hoppe	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Legan
Liese	Long	Lowe	Luetkenhaus	Marble
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Rizzo
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 022

Bartelsmeyer	Bartle	Boatright	Byrd	Crawford
Cunningham	Hanaway	Henderson	Holand	Hunter
Jetton	Linton	Luetkemeyer	Marsh	May 149
Purgason	Richardson	Ridgeway	Roark	Robirds
Townley	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 028

Ballard	Barry 100	Berkstresser	Burcham	Burton
Carnahan	Clayton	Cooper	Dempsey	Harlan
Haywood	Hickey	Hohulin	Hosmer	Kelly 27
Koller	Lawson	Lograsso	Murphy	Naeger
Nordwald	O'Connor	Paone	Reynolds	St. Onge
Surface	Whorton	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

## RECONSIDERATION

Representative Villa, having voted on the prevailing side, moved that the vote by which **HB 1869** was third read and defeated, be reconsidered.

Representative Byrd made a privileged motion pursuant to Rule 73 to postpone the motion to reconsider **HB 1869** until Wednesday, April 17, 2002.

Which motion was adopted by the following vote:

AYES: 090

Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Boatright	Bonner	Boucher	Britt
Byrd	Champion	Cierpiot	Copenhaver	Crawford
Crowell	Crump	Cunningham	Dolan	Enz
Fares	Farnen	Foley	Froelker	Gambaro
Gaskill	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Hegeman	Henderson	Holand	Holt
Hoppe	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Liese
Linton	Lograsso	Luetkenhaus	Marble	May 149
Mayer	McKenna	Miller	Moore	Myers
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Selby	Shields
Shoemaker	Shoemyer	Townley	Treadway	Vogel
Wagner	Ward	Willoughby	Wilson 25	Wright

NOES: 045

Barnett	Barnitz	Black	Bland	Bowman
Boykins	Bray 84	Brooks	Campbell	Carnahan
Curls	Daus	Davis	Fraser	George
Hendrickson	Hickey	Hilgemann	Hollingsworth	Hosmer
Johnson 61	Jones	King	Lowe	Marsh
Mays 50	Merideth	Monaco	Murphy	O'Toole
Paone	Ransdall	Relford	Scheve	Seigfreid
Shelton	Skaggs	Smith	Thompson	Troupe
Van Zandt	Villa	Walker	Walton	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 027

Abel	Baker	Ballard	Berkstresser	Burcham
Burton	Clayton	Cooper	Dempsey	Franklin
Harlan	Haywood	Hohulin	Koller	Lawson
Legan	Long	Luetkemeyer	Naeger	Nordwald
Reynolds	Richardson	St. Onge	Surface	Whorton
Williams	Mr. Speaker			

VACANCIES: 001



## **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCS SCR 47** - Agriculture

## **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS SB 665** - Local Government and Related Matters

**SCS SB 722** - Education-Elementary and Secondary

**SS SCS SBs 817, 978 & 700** - Local Government and Related Matters

**SB 856** - Commerce and Economic Development

**SS SCS SBs 969, 673 & 855** - Civil and Administrative Law

**SS SCS SB 1009** - Insurance

## **COMMITTEE REPORTS**

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HCR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **HOUSE CONCURRENT RESOLUTION NO. 14**

Whereas, a permanent electronic identification device to track all red meat-producing livestock from farm to table would be a great protective device for anti-bioterrorism; and

Whereas, such devices would be useful to the producers of red meat-producing livestock in controlling diseases as a method of tracing such livestock back to the farm; and

Whereas, such devices would be beneficial in providing producers with livestock carcass information, including the rate of gain; and

Whereas, such devices would be most useful in generating information on the concept of "farm to table" to protect American consumers:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage the Animal and Plant Inspection Service of the United States Department of Agriculture to develop and promulgate a permanent electronic identification program to be used on all red meat-producing livestock that would gather information and help protect the United States' consumer in the event of a bioterrorist threat; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the United States Department of Agriculture.

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SB 639**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SB 695**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SB 714**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SB 1048**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SB 1207**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SB 1244**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 932**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 1247**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Commerce and Economic Development**, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SS SCS SB 959**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Correctional and State Institutions**, Chairman Gratz reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SCS SB 645**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SCS SB 804**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1, House Committee Amendment No. 2 and House Committee Amendment No. 3**.

*House Committee Amendment No. 1*

AMEND Senate Bill No. 1041, Page 1, In the Title, by deleting all of said title and inserting in lieu thereof the following:

**"To authorize the conveyance of property owned by the state.";** and

Further amend said bill, Page 1, Section 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"Section 1. 1. The department of natural resources is hereby";** and

Further amend said bill, Page 3, Section 2, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"2. In consideration for the conveyance in subsection 1 of section 1 of";** and

Further amend said bill, Page 4, Section 3, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"3. The attorney general shall approve the form of the";** and

Further amend said bill, Page 4, Section 3, Line 2, by deleting all of said line and inserting in lieu thereof the following:

**Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in the County of Cole to the department of natural resources. The property to be conveyed is more particularly described as follows:**

**Part of the East Half of the Southwest Quarter, and part of the West Half of the Southeast of Quarter of Section 13, Township 45 North, Range 13 West, Cole County, Missouri, more particularly described as follows:**

**BEGINNING at the northwest corner of the East Half of the Southwest Quarter of the aforesaid Section 13, Township 45 North, Range 13 West; thence S88 18'32"E, along the Quarter Section Line, 1328.87 feet to the Center of said Section 13; thence continuing S88 18'32"E, along the Quarter Section Line, 277.59 feet to a point intersecting the southerly line of the 100 foot wide Missouri Pacific Railroad right-of-way; thence S49 23'55"E, along the southerly line of said Railroad Right-of-way, 191.44 feet to the center of an existing field road; thence along the center of said field road the following courses: Southwesterly, on a curve to the left, having a radius of 270.00 feet, an arc distance of 86.87 feet, (the chord of said curve being S26 47'07"W, 86.50 feet); thence S17 34'03"W, 80.68 feet; thence Southerly, on a curve to the left, having a radius of 125.00 feet, an arc distance of 142.57 feet, (the**

chord of said curve being S15 06'27"E, 134.97 feet); thence S47 46'57"E, 326.12 feet; thence S49 41'43"E, 399.15 feet; thence Southerly, on a curve to the right, having a radius of 130.00 feet, an arc distance of 143.08 feet, (the chord of said curve being S18 09'54"E, 135.97 feet); thence S13 21'56"W, 534.20 feet to a point on the northerly line of the Missouri State Highway 179 Right-of-way; thence leaving the center of the aforesaid field road, along the northerly line of said Missouri State Highway 179 Right-of-way, the following courses: Westerly, on a curve to the left, having a radius of 995.40 feet, an arc distance of 182.61 feet, (the chord of said curve being, N86 14'50"W, 182.36 feet); thence S88 45'26"W, 95.47 feet; thence Westerly, on a curve to the left, having a radius of 1000.40 feet, an arc distance of 104.71 feet, (the chord of said curve being S80 01'19"W , 104.66 feet); thence S71 17'13"W , 95.47 feet; thence S66 08'20"W, 291.10 feet; thence S66 08'20"W, 291.10 feet; thence Westerly, on a curve to the right, having a radius of 915.40 feet, an arc distance of 997.80 feet (the chord of said curve being N82 38'05"W, 949.13 feet); thence N51 24'30"W, 336.30 feet; thence N38 35'30"E, 45.00 feet; thence N62 43'06"W, 229.46 feet; thence N51 24'30"W, 12.26 feet to a point intersecting the west line of the East Half of the Southwest Quarter of the aforesaid Section 13, Township 45 North, Range 13 West; thence leaving said Missouri State Highway 179 Right-of- way line, N1 01 0'35"E, along the Quarter Quarter Section Line, 1294.07 feet to the POINT OF BEGINNING. Containing 77.28 Acres.

2. The conveyance is subject to an easement in favor of the state of Missouri for ingress and egress to the property retained by the state of Missouri.

3. The consideration for the conveyance shall be one dollar.

4. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said title, enacting clause and intersectional references accordingly.

*House Committee Amendment No. 2*

AMEND Senate Bill No. 1041, Page 1, In the Title, Line 1, by deleting the words "department of natural resources to private ownership" and inserting in lieu thereof the following: **"state"**; and

Further amend said bill, Page 1, Section 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"Section 1. 1. The department of natural resources is hereby";** and

Further amend said bill, Page 3, Section 2, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"2. In consideration for the conveyance in section 1 of";** and

Further amend said bill, Page 4, Section 3, Line 1, by deleting the word **"Section"**; and

Further amend said bill, Page 4, Section 3, Line 2, by inserting after all of said line the following:

**"Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in the County of Cole to the General Services Administration or the Missouri development finance board. The property to be conveyed is more particularly described as follows:**

**All of Inlots 187 and 188; All of Inlots 191 thru 200 inclusive; All of Inlots 225 thru 229; All that part of the Hough Street Right-of-way**

(previously vacated by Jefferson City Ordinance No. 3256); All that part of the Marshall Street Right-of-way lying north of the northerly line of State Street and south of the Missouri Pacific Railroad; All that part of the Lafayette Street Right-of-way (previously vacated by Jefferson City ordinance no. 3256); All that part of a 20 foot wide public alley lying between Marshall Street and Lafayette Street (previously vacated by Jefferson City Ordinance No. 3256); All that part of a 20 foot wide public alley, lying east of the easterly line of Inlots 185 and 190 and west of the westerly line of the Marshall Street Right-of-way; any part of Fractional Section 8, lying south of the Missouri Pacific Railroad and north of Inlots 187 & 188, any part of Fractional Section 8, lying south of the Missouri Pacific Railroad and north of Inlots 225 thru 229 inclusive; according to the plat of the City of Jefferson, Missouri and according to the Government Land Office Plat of Township 44 North, Range 11 West, dated December 6, 1861. All of the aforesaid lies within Fractional Section 8 of said Township 44 North, Range 11 West, and within the Corporate Limits of the City of Jefferson, Cole County, Missouri, more particularly described as follows:

BEGINNING at the southwesterly corner of Inlot 191; thence N42°18'12"E, along the westerly line of said Inlot 191 and along the northerly extension thereof, 218.46 feet to a point intersecting the northerly line of a 20 foot wide alley at the southwest corner of Inlot 186; thence S47°41'48"E, along the northerly line of said alley, 69.58 feet to the southwesterly corner of Inlot 187; thence N42°18'12"E, along the westerly line of said Inlot 187 and the northerly extension thereof, 259.20 feet; thence S68°13'57"E, 766.53 feet to a point intersecting the easterly line of the aforesaid vacated Lafayette Street Right-of-way; thence S42°15'04"W, along the easterly line of said vacated Lafayette Street Right-of-way, 746.58 feet to a point intersecting the northerly line of the State Street Right-of-way (formerly Water Street); thence N47°42'13"W, along the northerly line of said State Street Right-of-way, 539.62 feet to a point in the center of the Marshall Street Right-of-way; thence N47°40'29"W, along the northerly line of said State Street Right-of-way, 248.46 feet to the POINT OF BEGINNING.

2. Consideration for the conveyance shall be the transfer of property of like value to the state of Missouri.
3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said title, enacting clause and intersectional references accordingly.

*House Committee Amendment No. 3*

AMEND Senate Bill No. 1041, Page 1, In the Title, by deleting all of said title and inserting in lieu thereof the following:

**"To authorize the conveyance of property owned by the state.";** and

Further amend said bill, Page 1, Section 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"Section 1. 1. The department of natural resources is hereby";** and

Further amend said bill, Page 3, Section 2, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"2. In consideration for the conveyance in subsection 1 of section 1 of";** and

Further amend said bill, Page 4, Section 3, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"3. The attorney general shall approve the form of the"; and**

Further amend said bill, Page 4, Section 3, Line 2, by deleting all of said line and inserting in lieu thereof the following:

**"Section 2. 1. In the event that a tract of real property described in this subsection is conveyed to the state, the governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in such property to the Gingerbread House, Inc. The property to be conveyed is more particularly described as follows:**

**A fractional part of Lot 119 of the Railroad Addition in Rolla, Missouri, and more particularly described as follows: Commencing at the NW corner of said Lot 119, thence S. 0E43' W., 30.0 feet to the S. line of Gale Drive, thence N. 88E53' E., 311.92 feet along said S. street line, thence S. 0E52' W., 325.0 feet, thence N. 88E53' E., 119.10 feet to the true point of beginning of the tract hereinafter described; thence N. 88E53' E., 188.90 feet to the W. line of Fairgrounds Road, thence S. 0E52' W., 242.0 feet along said W. line of Fairgrounds Road, thence S. 89E07' W., 188.87 feet, thence N. 0E52' E., 241.19 feet to the true point of beginning. Above tract contains 1.10 acres ±. This survey is recorded in Phelps County Surveyor's Records in Book "I" at Page S-6038, dated August 30th, A.D. 1982, made by R. L. Elgin & Associates, Engineers & Surveyors, Rolla, Missouri.**

**(Note: This excepted parcel of 1.10 acres is the same parcel now occupied by Gingerbread House, Inc., and is also the same parcel of land heretofore mortgaged by said Gingerbread House, Inc., as 1st party or grantor or trustor to Milton J. Schnebelen as 2nd party or Trustee for COMMERCE BANK OF BONNE TERRE as 3rd party or beneficiary or cestui que trust, via that certain Deed of Trust dated Sept. 7th, 1982, filed Sept. 10, 1982, in Trust Deed Book 239 at Page 63 of Phelps County trust deed records.)**

**2. The attorney general shall approve the form of the instrument of conveyance."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 1168**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

*House Committee Amendment No. 1*

AMEND Senate Bill No. 1168, Page 1, In the Title, Line 1, by deleting the words "certain property to the city of Lebanon" and inserting in lieu thereof the following: **"property owned by the state"; and**

Further amend said bill, Page 2, Section 1, Line 33, by inserting after all of said line the following:

**"Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in the County of Cole to the General Services Administration or the Missouri development finance board. The property to be conveyed is more particularly described as follows:**

**All of Inlots 187 and 188; All of Inlots 191 thru 200 inclusive; All of**

Inlots 225 thru 229; All that part of the Hough Street Right-of-way (previously vacated by Jefferson City Ordinance No. 3256); All that part of the Marshall Street Right-of-way lying north of the northerly line of State Street and south of the Missouri Pacific Railroad; All that part of the Lafayette Street Right-of-way (previously vacated by Jefferson City ordinance no. 3256); All that part of a 20 foot wide public alley lying between Marshall Street and Lafayette Street (previously vacated by Jefferson City Ordinance No. 3256); All that part of a 20 foot wide public alley, lying east of the easterly line of Inlots 185 and 190 and west of the westerly line of the Marshall Street Right-of-way; any part of Fractional Section 8, lying south of the Missouri Pacific Railroad and north of Inlots 187 & 188, any part of Fractional Section 8, lying south of the Missouri Pacific Railroad and north of Inlots 225 thru 229 inclusive; according to the plat of the City of Jefferson, Missouri and according to the Government Land Office Plat of Township 44 North, Range 11 West, dated December 6, 1861. All of the aforesaid lies within Fractional Section 8 of said Township 44 North, Range 11 West, and within the Corporate Limits of the City of Jefferson, Cole County, Missouri, more particularly described as follows:

BEGINNING at the southwesterly corner of Inlot 191; thence N42°18'12"E, along the westerly line of said Inlot 191 and along the northerly extension thereof, 218.46 feet to a point intersecting the northerly line of a 20 foot wide alley at the southwest corner of Inlot 186; thence S47°41'48"E, along the northerly line of said alley, 69.58 feet to the southwesterly corner of Inlot 187; thence N42°18'12"E, along the westerly line of said Inlot 187 and the northerly extension thereof, 259.20 feet; thence S68°13'57"E, 766.53 feet to a point intersecting the easterly line of the aforesaid vacated Lafayette Street Right-of-way; thence S42°15'04"W, along the easterly line of said vacated Lafayette Street Right-of-way, 746.58 feet to a point intersecting the northerly line of the State Street Right-of-way (formerly Water Street); thence N47°42'13"W, along the northerly line of said State Street Right-of-way, 539.62 feet to a point in the center of the Marshall Street Right-of-way; thence N47°40'29"W, along the northerly line of said State Street Right-of-way, 248.46 feet to the POINT OF BEGINNING.

2. Consideration for the conveyance shall be the transfer of property of like value to the state of Missouri.
3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said title, enacting clause and intersectional references accordingly.

**Committee on Criminal Law**, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **SB 1102**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SCS SB 874**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Education-Higher**, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 34

Relating to approval for the Curators of the University of Missouri to enter into a long-term ground lease of certain real property owned by the University and located in the City of Columbia for the purpose of construction of a hotel/convention center complex on said real property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Whereas, the Curators of the University of Missouri, a public corporation of the State of Missouri, owns certain real property located in the City of Columbia, Boone County, Missouri, more particularly described as follows:

A tract of land being part of the southeast quarter of Section 13, Township 48 North, Range 13 West; part of the southwest quarter of Section 18, Township 48 North, Range 12 West and part of the northwest quarter of Section 19, Township 48 North, Range 12 West in Columbia, Boone County, Missouri.

Starting at the southeast corner of Section 13, Township 48 North, Range 13 West; thence N 1E 15'E, along the range line, 104.73 feet to the north right-of-way of Stadium Boulevard (State Route 740), the point of beginning.

From the point of beginning and following said right-of-way N 88E 18'W 47.10 feet; thence N 88E 54'W 209.92 feet; thence North 44E 10'W 85.00 feet; thence 89E 06'W 15.50 feet to the east line of Monk Drive; thence N 1E 15'E, along said line 737.00 feet to the south line of Hospital Drive; thence S 89E 05'E, along said line 140 feet; thence northeasterly, continuing along said line 860 feet; thence easterly, continuing along the south line of Hospital Drive 440 feet to the west line of College Avenue (State Route 763); thence south, along said line 300 feet; thence southwesterly, continuing along the west line of College Avenue being a curve to the right 1130 feet to the north line of Stadium Boulevard; thence northwesterly, along said line being a curve to the left 750 feet to the beginning.

Whereas, the Curators of the University of Missouri intend to issue a "Request for Proposals" (RFP) for the construction of a hotel/convention center complex on said property and intend to use the proceeds derived from the lease of a portion of the above described property to the successful respondent toward the construction of a Performing Arts Center to be located on a portion of the described real property for the University of Missouri-Columbia; and

Whereas, the Curators of the University of Missouri intend to include all of the following principles in the "Request for Proposals" (RFP) for this University of Missouri-Columbia project:

- (1) The University will not own or operate the hotel/convention center complex;
- (2) The University intends to lease the real property for a term not to exceed 50 years;
- (3) The University intends to encourage as many interested parties as possible to respond to the RFP; and
- (4) The University will expect the successful respondent to pay all applicable taxes, including but not limited to personal property and real property taxes as assessed by governmental entities:



Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby approve the Curators of the University of Missouri entering into a long-term ground lease with the successful respondent, as determined by the Curators of the University of Missouri, of the real property described above for the purpose of the construction of a hotel/convention center complex on said real property; and

Be it further resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

**Committee on Environment and Energy**, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SB 1012**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SCS SB 1163**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SB 812**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 742**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 749**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 1251**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 720**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 918**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 941**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 1078**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 1113**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 1220**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Motor Vehicle and Traffic Regulations**, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1868**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 644**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 745**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 798**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 957**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 960**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 966**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 1093**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 1109**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SBs 1241, 1253 & 1189**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Professional Registration and Licensing**, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 786**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 795**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 976**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 980**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 1024**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 1182**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Public-Private Partnerships**, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Public-Private Partnerships, to which was referred **HCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 24

Relating to approval of a project for an agricultural research and demonstration project and related buildings and facilities for the Springfield campus of Southwest Missouri State University funded in part by revenue bonds secured by a pledge of future appropriations of the General Assembly.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Whereas, Section 21.527, RSMo, requires approval of the General Assembly that certain projects to be funded by revenue bonds shall be secured by a pledge of future appropriations to be made by the General Assembly; and

Whereas, the General Assembly is desirous of approving a project for an agricultural research and demonstration center project and related building and facilities for the Springfield campus of Southwest Missouri State University to be funded in part by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly; and

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby approve the following:

(1) An agricultural research and demonstration center project and related building and facilities for the Springfield campus of Southwest Missouri State University;

(2) A total estimated project cost, including furnishings and equipment, of \$6,950,000;

(3) A maximum project cost of \$2,604,360, the State's Share, to be funded by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly;

(4) The issuance of revenue bonds in an amount sufficient to pay the State's Share of the project cost, plus debt service reserve, capitalized interests and costs of issuance, to be payable over a term not to exceed twenty years; and

(5) The remainder of the project cost to be funded by contributions and other funds to be provided by Southwest Missouri State University; and

Be it further resolved that the members of the General Assembly state the intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

Be it further resolved that the members of the General Assembly authorize and direct the Office of Administration and such other state departments, offices, and agencies as the Office of Administration may deem necessary or appropriate to:

(1) Assist the staff and advisors of Southwest Missouri State University in implementing the project and in issuing such revenue bonds for the State's Share of the project cost; and

(2) Execute and deliver documents and certificates related to the revenue bonds consistent with the terms of this resolution; and

Be it further resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

**Committee on Retirement**, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SB 1001**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Social Services, Medicaid and the Elderly**, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SB 1094**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 701**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 891**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 950**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 974**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 988**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 1199**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**.

*House Committee Amendment No. 1*

AMEND Senate Bill No. 1199, Page 1, Section 227.333, Line 8, by inserting after all of said line the following:

**"Section 1. The portion of Ozark County north of U.S. highway 160, east of state routes 5 and 95, south of the Ozark and Douglas County line, and west of the Ozark and Howell County line shall be designated as "Ozark Mills Country"."; and**

Further amend said title, enacting clause and intersectional references accordingly.

**Committee on Urban Affairs**, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **SB 961**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 7**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 21**.

**ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 3:00 p.m., Monday, April 15, 2002.

**COMMITTEE MEETINGS**

**BUDGET**

Tuesday, April 16, 2002, 8:30 a.m. Hearing Room 3.  
Consideration of Motion to approve Tax Credit Estimation.  
Executive Session.

**COMMERCE AND ECONOMIC DEVELOPMENT**

Monday, April 15, 2002, 2:00 p.m. Hearing Room 7.  
Executive Session may follow.  
Reconsideration of HCS/SCS/ SB 885 (Consent)

**CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Monday, April 15, 2002, 8:00 p.m. Hearing Room 3.  
Executive Session may follow.  
Public Hearing to be held on: HCR 35, SB 1004

**ENVIRONMENT AND ENERGY**

Monday, April 15, 2002, 2:30 p.m. Side gallery.  
Executive Session.  
Public Hearing to be held on: SB 708, SB 821

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, April 18, 2002. Senate Lounge upon noon adjournment.  
Rule Number 19 CSR 30-82.010, 19 CSR 30-83.010, 12 CSR 10-24.326.

**JOINT COMMITTEE ON CORRECTIONS**

Tuesday, April 16, 2002, 9:00 a.m. Room 434.

Subcommittee to the Joint Committee on Corrections.

Discuss vocational enterprises.

**LABOR**

Tuesday, April 16, 2002, 9:00 a.m. Hearing Room 1.

Public Hearing to be held on: HB 2173

**RETIREMENT**

Monday, April 15, 2002. Side gallery upon adjournment.

Executive Session to be held on: SB 967

**SUBCOMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT**

Monday, April 15, 2002. Hearing Room 5 upon evening adjournment.

Challenge Fiscal Note: HB 1404, HB 1231.

**HOUSE CALENDAR**

FIFTY-SECOND DAY, MONDAY, APRIL 15, 2002

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 28 - Villa
- 2 HCS HJR 51 - Whorton

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1502 & 1821, HSA 1 for HA 2, HA 2 and HS, pending - Luetkenhaus
- 2 HCS HB 1735 - Hoppe
- 3 HB 1058 - Haywood
- 4 HB 1460 - Hilgemann
- 5 HCS HB 1509 & 1510 - Curls
- 6 HCS HB 1143 - Rizzo
- 7 HCS HB 1888 - Barnitz
- 8 HCS HB 1962 - Monaco
- 9 HCS HB 1527 - Graham
- 10 HCS HB 1809 - Sanders Brooks
- 11 HB 1726 - Walton
- 12 HCS HB 1729, 1589 & 1435 - Barnitz
- 13 HCS HB 1717 - Foley
- 14 HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Campbell
- 15 HCS HB 1695 - Selby
- 16 HB 1090 - Reynolds
- 17 HB 1508 - Koller

- 18 HCS HB 1936 - Berkowitz
- 19 HB 1350 - Liese
- 20 HCS HB 1656 - Wright
- 21 HCS HB 1216 - Johnson (61)
- 22 HB 1627 - Kreider
- 23 HCS HB 1886 - Rizzo
- 24 HB 1307 - Williams
- 25 HB 1988 - Kelly (144)
- 26 HCS HB 1868 - Barry

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

#### **HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

#### **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 13, (4-9-02, Pages 1024 & 1025) - Bowman
- 2 HCR 18, (4-9-02, Pages 1022 & 1023) - Wilson (42)
- 3 HCR 16, (4-10-02, Pages 1050 & 1051) - Farnen
- 4 HCR 24, (4-11-02) - Kreider
- 5 HCR 34, (4-11-02) - Riback Wilson (25)

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1306, E.C. (Fiscal Review 4-2-02) - Williams
- 3 HS HCS HB 1654 & 1156 - Hosmer
- 4 HS HCS HB 1756 - Reid

#### **HOUSE BILL FOR THIRD READING - CONSENT**

HB 2155 - Willoughby



**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 1872 - Hosmer

**SENATE BILL FOR THIRD READING - CONSENT**

SCS SB 988 - Hartzler

**SENATE BILL FOR THIRD READING**

SB 1220 - O'Toole

**HOUSE RESOLUTIONS**

- 1 HR 341, (3-7-02, Page 518) - Ladd Baker
- 2 HR 281, (4-9-02, Pages 1021 & 1022) - Hampton

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTY-SECOND DAY, MONDAY, APRIL 15, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

We lift our minds and hearts to You, Lord God, in hopes that Your presence will be known and felt today here in this grand room. These women and men have been elected to a kind of sacred trust, God, in their promise to do their utmost to serve their constituents and all the people of our state well and properly.

As another week of this session begins today, may all here present continue to seriously keep their pledge to be of honest and faithful service. We pray that their enthusiasm for the right and just may move them deeply in their important judgments and votes. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rayven A. Walker, Toni J. Walker, Logan Willoughby, Rebecca Morrison, Benjamin Morrison, K.C. Verhage and Harrison Samuel Hartzler.

The Journal of the fifty-first day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1240 - Representative Thompson  
House Resolution No. 1241  
through  
House Resolution No. 1250 - Representative Portwood  
House Resolution No. 1251 - Representatives Jolly and Boucher, et al  
House Resolution No. 1252 - Representative Farnen  
House Resolution No. 1253  
and  
House Resolution No. 1254 - Representative Surface  
House Resolution No. 1255 - Representative Ladd Baker  
House Resolution No. 1256 - Representative Troupe, et al  
House Resolution No. 1257  
and  
House Resolution No. 1258 - Representative Crawford  
House Resolution No. 1259 - Representative Burton  
House Resolution No. 1260 - Representative Hegeman

House Resolution No. 1261 - Representative Relford  
House Resolution No. 1262  
through  
House Resolution No. 1275 - Representative Murphy  
House Resolution No. 1276 - Representative Gratz  
House Resolution No. 1277 - Representative Rector  
House Resolution No. 1278  
through  
House Resolution No. 1280 - Representative Kreider

### **PERFECTION OF HOUSE BILLS**

**HCS HB 1735**, relating to a local government investment pool, was placed on the Informal Calendar.

**HB 1058**, relating to hate crimes, was taken up by Representative Haywood.

Representative Ballard offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 1058, Page 1, Section 557.035, Line 6, by bracketing out the “A” and placing “C” in place thereof.

Representative Ballard moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Wright offered **House Amendment No. 2**.

Representative Monaco raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Wright offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Bill No. 1058, Page 1, Section 557.035, Line 5, by bracketing out the following words: “[sexual orientation]”.

Representative Wright moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Byrd offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Bill No. 1058, Page 1, Section 557.035, Line 6, by deleting the phrase “**Class A**” and inserting in its stead “**Class B**”.

Representative Smith offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Bill No. 1058, Page 1, Section 557.035, Line 6, by deleting the phrase “**Class A Felony**” and inserting in lieu thereof the following:

“**Class B Felony, unless a person has suffered serious physical injury or has died as a result of a violation of this sub-section, in which case the violation is a class A felony.**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Smith, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

On motion of Representative Haywood, **HB 1058, as amended**, was ordered perfected and printed.

**HCS HBs 1502 & 1821, with House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 2 and HS, pending**, relating to insurance, was taken up by Representative Luetkenhaus.

**House Substitute Amendment No. 1 for House Amendment No. 2** was withdrawn.

Representative Fraser offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1502 & 1821, Page 3, Section 375.918.3, Line 1, by adding the following after the words “**adverse action**”:

“**, place a surcharge on such coverage, render an applicant or insured ineligible for a discount, place an applicant or insured in a higher-rated tier or in a higher-rated company of an insurance group**”; and

Further amend said subsection, Line 3, by adding after the word “**without**” the following:

“**at least equal**”; and by placing a period “.” at the end of Line 3 instead of a comma “,”; and

Further amend said subsection by deleting Lines 4 through 6.

Representative Luetkenhaus raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 2** is dilatory.

The Chair ruled the point of order not well taken.

Representative Fraser moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 053

Baker	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Campbell	Clayton	Copenhaver
Curls	Fares	Farnen	Franklin	Fraser
Graham	Green 15	Green 73	Hagan-Harrell	Harding
Harlan	Haywood	Hickey	Hilgemann	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Koller	Lowe	Mays 50	Monaco	Murphy
O'Connor	Ostmann	Paone	Reynolds	Rizzo
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Troupe	Van Zandt	Walker	Walton
Williams	Willoughby	Wilson 25		

NOES: 100

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Burton	Byrd
Carnahan	Champion	Cierpiot	Cooper	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Foley	Froelker
Gaskill	George	Gratz	Griesheimer	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Holt	Hunter	Jetton
Kelley 47	Kelly 144	King	Lawson	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Seigfreid	Shields	Shoemaker	St. Onge	Surface
Townley	Treadway	Villa	Vogel	Wagner
Ward	Whorton	Wilson 42	Wright	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Britt	Brooks	Burcham	Gambaro	Hollingsworth
Hoppe	Kelly 36	Scheve	Secrest	

VACANCIES: 001

Representative Johnson (90) moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Baker	Bland	Bonner	Bowman	Boykins
Bray 84	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Foley	Franklin	Fraser
Graham	Green 15	Hagan-Harrell	Harding	Harlan
Haywood	Hickey	Hilgemann	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Lowe	Mays 50	Murphy	O'Connor	O'Toole
Paone	Reynolds	Rizzo	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Troupe
Walker	Walton	Williams	Willoughby	Wilson 25

NOES: 098

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Boucher	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Froelker
Gaskill	Gratz	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Holt	Hunter	Jetton	Kelley 47
Kelly 144	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Moore	Myers	Naeger
Nordwald	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Seigfreid
Shields	Shoemaker	St. Onge	Surface	Townley
Treadway	Villa	Vogel	Wagner	Ward
Whorton	Wright	Mr. Speaker		

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 013

Britt	Brooks	Burcham	Gambaro	George
Green 73	Hollingsworth	Kelly 36	Long	Monaco
Scheve	Secrest	Van Zandt		

VACANCIES: 001

Representative Smith offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1502 & 1821, Page 6, Section 375.918.12, Line 15, by adding after “.” on said line the following:

**“13. Violations of this act shall be treated as an unfair trade practice pursuant to Sections 375.936 to 375.948, RSMo.”; and**

Renumber subsequent subsections accordingly.

Representative Smith moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Abel	Barnitz	Barry 100	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Brooks
Campbell	Carnahan	Clayton	Copenhaver	Crump
Curls	Farnen	Foley	Franklin	Fraser
George	Graham	Green 15	Hagan-Harrell	Harding
Harlan	Hickey	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Lowe	Mays 50	O'Connor
O'Toole	Ostmann	Paone	Ransdall	Reynolds
Rizzo	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Troupe	Van Zandt	Walker
Walton	Ward	Williams	Willoughby	Wilson 25

NOES: 087

Ballard	Barnett	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
Gratz	Griesheimer	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Holt	Hoppe	Hunter	Jetton	Kelley 47
King	Lawson	Legan	Liese	Linton
Lograsso	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Overschmidt	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Roark	Robirds	Schwab	Scott
Seigfreid	Shields	Shoemaker	St. Onge	Surface
Townley	Villa	Vogel	Wagner	Whorton
Wright	Mr. Speaker			

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 019

Baker	Bartelsmeyer	Britt	Burcham	Gambaro
Green 73	Haywood	Hilgemann	Hollingsworth	Kelly 144
Kelly 27	Kelly 36	Koller	Long	Monaco
Ross	Scheve	Secrest	Treadway	

VACANCIES: 001

Representative Johnson (61) offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1502 & 1821, Page 5, Section 375.918.9, Line 6, by adding the following after the word “**not**”:

**“place a surcharge on a contract, render an insured ineligible for a discount, place an insured in a higher-rated tier or in a higher-rated company of an insurance group or”.**

Representative Luetkemeyer raised a point of order that **House Amendment No. 4** is dilatory.

The Chair ruled the point of order not well taken.

Representative Johnson (61) moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Johnson (90) offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1502 & 1821, Page 4, Section 375.918.7, Line 6, by adding the following after the word “**not**”:

**“7. Within ninety days from the date an insurer provides notice pursuant to subdivision (1) of subsection 6 of this section, the applicant or insured may in writing request from the insurer a statement of reasons for the action taken. The statement of reasons shall be sufficiently clear and specific so that a person of average intelligence can identify the basis for the insurer’s decision without further inquiry. An insurer shall provide an explanation of significant characteristics of the credit history that may have impacted such person’s insurance score to meet the requirements of this subsection.”.**

Representative Johnson (90) moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Smith offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1502 & 1821, Page 6, Section 375.918.12, Line 15, by adding after the “.” on said line the following:



**“13. There is hereby established a task force to be known as the “Task Force on Credit Scoring” within the department of insurance. The task force shall be appointed by the governor and consist of the following members:**

- (1) The director of the department of insurance who shall serve as chair of the task force,**
- (2) Two member of the Missouri house of representatives, one from each major political party represented in the house of representatives,**
- (3) Two members of the Missouri senate, one from each major political party represented in the senate,**
- (4) One member representing the interests of insurers,**
- (5) One member representing the interests of agents of insurers, and**
- (6) Two members representing the interests of consumers of insurance.**

**14. The task force shall study the use of credit scoring in pricing a policy of insurance upon application and upon renewal to determine if there are groups that are disproportionately impacted and to determine the effect on insurance availability. The task may hold public hearings, and collect and analyze data.**

**15. The task force shall report to the governor and the general assembly by January 15, 2003.”.**

Representative Smith moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Abel	Barnitz	Bland	Boucher	Bowman
Bray 84	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Davis	Farnen
Franklin	Fraser	Graham	Green 15	Hagan-Harrell
Harding	Harlan	Haywood	Hilgemann	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Lowe
Mays 50	Monaco	Murphy	O'Connor	O'Toole
Paone	Reynolds	Rizzo	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Van Zandt
Walker	Walton	Ward	Williams	Willoughby
Wilson 25				

NOES: 085

Barnett	Barry 100	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Boatright
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Daus	Dempsey	Dolan
Enz	Fares	Foley	Froelker	Gaskill
Gratz	Griesheimer	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Holt	Hoppe	Hunter	Jetton	Kelley 47
Kelly 144	King	Lawson	Legan	Liese
Linton	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Merideth	Miller	Moore
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Seigfreid
Shields	Shoemaker	St. Onge	Surface	Townley
Villa	Vogel	Wagner	Whorton	Mr. Speaker

PRESENT: 002

Cunningham	Wilson 42
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ABSENT WITH LEAVE: 024

Baker	Ballard	Bonner	Boykins	Britt
Burcham	Gambaro	George	Green 73	Hickey
Hollingsworth	Hosmer	Kelly 36	Koller	Lograsso
Long	McKenna	Overschmidt	Richardson	Scheve
Secrest	Treadway	Troupe	Wright	

VACANCIES: 001

On motion of Representative Luetkenhaus, **HS HCS HBs 1502 & 1821** was adopted.

On motion of Representative Luetkenhaus, **HS HCS HBs 1502 & 1821** was ordered perfected and printed.

### **THIRD READING OF HOUSE BILL - CONSENT**

**HB 2155**, relating to regional child assessment centers, was placed on the Informal Calendar.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HS HCS HBs 1654 & 1156** - Fiscal Review and Government Reform (Fiscal Note)

**HB 2181** - Local Government and Related Matters

**HB 2193** - Local Government and Related Matters

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SCS SB 712** - Miscellaneous Bills & Resolutions

### **COMMITTEE REPORTS**

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SB 758**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Commerce and Economic Development**, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SB 992**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Environment and Energy**, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SB 708**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 997**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SBs 1086 & 1126**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 1186**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

**Committee on Public Safety, Law Enforcement and Veteran Affairs**, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Public Safety, Law Enforcement and Veteran Affairs, to which was referred **HB 2160**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Retirement**, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SCS SB 967**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 1202**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**.

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 16, 2002.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-first Day, Thursday, April 11, 2002, pages 1061 and 1062, roll call, by showing Representatives Barnett, Murphy, Shields and Shoemaker (8) voting "aye" rather than "absent with leave".

Pages 1062 and 1063, roll call, by showing Representative Murphy voting "aye" rather than "absent with leave".

Pages 1063 and 1064, roll call, by showing Representatives Jetton, Murphy and Quinn voting "aye" rather than "absent with leave".

Pages 1066 and 1067, roll call, by showing Representative Black voting "no" rather than "absent with leave".

Pages 1067 and 1068, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Pages 1067 and 1068, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 1068 and 1069, roll call, by showing Representatives Campbell and Surface voting "aye" rather than "absent with leave".

Pages 1068 and 1069, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Pages 1069 and 1070, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 1070 and 1071, roll call, by showing Representative Black voting "no" rather than "aye".

Pages 1070 and 1071, roll call, by showing Representatives Barry, Hosmer, Kelly (27) and Murphy voting "aye" rather than "absent with leave".

Pages 1070 and 1071, roll call, by showing Representatives Berkstresser and Surface voting "no" rather than "absent with leave".

Page 1071, roll call, by showing Representatives Barry, Carnahan, Hosmer, Kelly (27), Murphy and Naeger voting "aye" rather than "absent with leave".

Page 1071, roll call, by showing Representatives Berkstresser and Surface voting "no" rather than "absent with leave".

Page 1071, roll call, by showing Representative Black voting "no" rather than "aye".

Page 1072, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, April 17, 2002. Hearing Room 7 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: SCR 47

### **BUDGET**

Tuesday, April 16, 2002, 8:30 a.m. Hearing Room 3.

Consideration of Motion to approve Tax Credit Estimation.

Executive Session.

### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, April 16, 2002. Hearing Room 4 upon noon recess.

Executive Session will follow.

Public Hearing to be held on: HB 2082, HB 2086

### **CIVIL AND ADMINISTRATIVE LAW**

Wednesday, April 17, 2002. Hearing Room 1 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: SB 969

### **COMMERCE AND ECONOMIC DEVELOPMENT**

Tuesday, April 16, 2002, 1:00 p.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 856

### **INSURANCE**

Tuesday, April 16, 2002. Hearing Room 3 upon afternoon adjournment.

Executive Session may follow.

Public Hearing to be held on: SB 1009

### **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, April 18, 2002. Senate Lounge upon noon adjournment. AMENDED.

Rule Number 19 CSR 30-82.010,.020,.070 30-83.010.

### **JOINT COMMITTEE ON CORRECTIONS**

Tuesday, April 16, 2002, 9:00 a.m. Room 434.

Subcommittee to the Joint Committee on Corrections.

**LABOR**

Tuesday, April 16, 2002, 9:00 a.m. Hearing Room 1.

Public Hearing to be held on: HB 2173

**LOCAL GOVERNMENT AND RELATED MATTERS**

Tuesday, April 16, 2002. Hearing Room 7 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: HB 1891, HB 2181, HB 2193, SB 665, SB 817, SB 993

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, April 17, 2002, 9:00 a.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 712

**HOUSE CALENDAR**

FIFTY-THIRD DAY, TUESDAY, APRIL 16, 2002

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 28 - Villa
- 2 HCS HJR 51 - Whorton

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1460 - Hilgemann
- 2 HCS HB 1509 & 1510 - Curls
- 3 HCS HB 1143 - Rizzo
- 4 HCS HB 1888 - Barnitz
- 5 HCS HB 1962 - Monaco
- 6 HCS HB 1527 - Graham
- 7 HCS HB 1809 - Sanders Brooks
- 8 HB 1726 - Walton
- 9 HCS HB 1729, 1589 & 1435 - Barnitz
- 10 HCS HB 1717 - Foley
- 11 HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Campbell
- 12 HCS HB 1695 - Selby
- 13 HB 1090 - Reynolds
- 14 HB 1508 - Koller
- 15 HCS HB 1936 - Berkowitz
- 16 HB 1350 - Liese
- 17 HCS HB 1656 - Wright
- 18 HCS HB 1216 - Johnson (61)
- 19 HB 1627 - Kreider
- 20 HCS HB 1886 - Rizzo

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- 21 HB 1307 - Williams
- 22 HB 1988 - Kelly (144)
- 23 HCS HB 1868 - Barry
- 24 HB 2160 - Britt

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker
- 4 HCS HB 1735 - Hoppe

**HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

**HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 13, (4-9-02, Pages 1024 & 1025) - Bowman
- 2 HCR 18, (4-9-02, Pages 1022 & 1023) - Wilson (42)
- 3 HCR 16, (4-10-02, Pages 1050 & 1051) - Farnen
- 4 HCR 24, (4-11-02, Pages 1084 & 1085) - Kreider
- 5 HCR 34, (4-11-02, Pages 1080 & 1081) - Riback Wilson (25)

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1306, E.C. (Fiscal Review 4-2-02) - Williams
- 3 HS HCS HB 1654 & 1156, (Fiscal Review 4-15-02) - Hosmer
- 4 HS HCS HB 1756 - Reid

**HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL**

- 1 HB 1872 - Hosmer
- 2 HB 2155 - Willoughby

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988 - Hartzler
- 2 HCS SCS SB 645 - Relford
- 3 HCS SB 992 - Rizzo

- 4 SB 1124 - Gambaro
- 5 SCS SB 804 - Sanders Brooks
- 6 SB 639 - Williams
- 7 HCS SCS SB 776 - Harlan
- 8 HCS SCS SB 1113 - Farnen
- 9 SCS SB 997 - Willoughby
- 10 HCS SB 1012 - Lawson
- 11 HCS SB 795 - Treadway
- 12 HCS SCS SB 1086 & 1126 - Hoppe
- 13 HCS SB 786 - Campbell
- 14 SCS SB 1132 - Daus
- 15 HCS SB 1244 - Barry
- 16 HCS SB 961 - Curls
- 17 SB 708 - Lawson
- 18 SB 701 - Lowe
- 19 SB 742 - Monaco
- 20 HCS SB 749 - Monaco
- 21 HCS SB 1213 - Hosmer
- 22 HCS SCS SB 1210 - Lawson
- 23 SB 1247 - Willoughby
- 24 SB 1001 - Crump
- 25 HCS SB 1078 - Hoppe
- 26 SB 941 - Mays (50)
- 27 HCS SB 695 - Barry
- 28 HCS SB 962 - Jolly
- 29 HCS SB 1119 - Kelly (27)
- 30 SB 1217 -
- 31 SCS SB 967 -
- 32 SB 1243 - Kelly (27)
- 33 HCS SCS SB 1212 - Ransdall
- 34 SB 1041, HCAs 1, 2 & 3 - Gratz
- 35 SB 1168, HCA 1 - Gratz
- 36 SB 974 - Koller
- 37 HCS SB 1251 - Monaco
- 38 SCS SB 1163 - Ransdall
- 39 SB 720 - Hoppe
- 40 HCS SB 714 - Barry
- 41 SCS SB 729 - Luetkenhaus
- 42 SB 891 - Rizzo
- 43 HCS SB 932 - Smith
- 44 SCS SB 1015 - Relford
- 45 SCS SB 1071 - Lawson
- 46 HCS SB 1094 - Green (73)
- 47 SB 1048 - Reinhart
- 48 SB 1028 - Luetkemeyer



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- 49 SB 812 - Holand
- 50 SB 726 - Gaskill
- 51 SB 865 - Myers
- 52 SCS SB 918 - Linton
- 53 HCS SB 1102 - Hosmer
- 54 SB 1109 - Portwood
- 55 HCS SCS SB 947 - Farnen
- 56 SCS SB 1207 - Holand
- 57 SCS SB 1151 - Myers
- 58 HCS SCS SB 980 - Hunter
- 59 SCS SB 874 - Franklin
- 60 HCS SB 1186 - Hoppe
- 61 SCS SB 1182 - Barry
- 62 HCS SCS SB 1202, E.C. - Koller
- 63 HCS SB 758 - Hosmer
- 64 SCS SB 1024 - Holand
- 65 SB 976 - Portwood
- 66 SS SCS SB 959, E.C. - Rizzo
- 67 SB 644 - Davis
- 68 SCS SB 1241, 1253 & 1189 - Boykins
- 69 SCS SB 966 - Gambaro
- 70 SB 798 - Ross
- 71 SCS SB 745 - Kelly (144)
- 72 HCS SB 950 - Griesheimer
- 73 SB 1199, HCA 1 - Bearden
- 74 HCS SCS SB 960 - O'Connor
- 75 HCS SCS SB 1093 - Hilgemann
- 76 SB 831 - Gambaro
- 77 HCS SCS SB 957 - Reid
- 78 SCS SB 656 - Luetkenhaus
- 79 HCS SCS SB 737 - Berkowitz

**SENATE BILL FOR THIRD READING**

SB 1220 - O'Toole

**HOUSE RESOLUTIONS**

- 1 HR 341, (3-7-02, Page 518) - Ladd Baker
- 2 HR 281, (4-9-02, Pages 1021 & 1022) - Hampton

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTY-THIRD DAY, TUESDAY, APRIL 16, 2002

Speaker Kreider in the Chair.

Prayer by Representative Ed Hartzler.

Our Heavenly Father,

We pause at the start of today's session to give thanks for the many blessings that have been received by each of us,

For the opportunity to serve and work for the betterment of our State and its citizens,

For the gifts of grace and the promise of salvation.

We ask for guidelines in our work and thoughts so that we can be good stewards of our State's many resources.

Bless our families. Watch over them in our absence.

These things we ask in Thy name.

Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Harrison Samuel Hartzler, Kara Patterson, Jennifer Grizzle, Stephanie Tuley, Rebekah White, Levi McKiddy, Abby Sechrest, Megan Beney, Ryan Dickson, Kristina Baldwin, Gregory Laine, David Craft, Kimberly Williams, Emily Hook, Shirneka Smith, George Strickland, Carly Wilburn, Reven Herron, Thomas Herron, Benjamin Rahn, Aaron Howerton, Sarah Adams, Heather Nold, Mallory Ferguson, Wes Killin, Joe VanAmburg, Danielle Curtis, Maria Roriguez, Cassandra Coleman, Lilly Bader, Isabelle Boemelburg, Alyssa Cullaghan, Gloria Parker, Rebecca Long, Brenda Heines, Kelly McCauley, Emily Rost, Claire Darnell, Amanda Capps, Allison Swett, Amber Ferguson, Ashley Watterson, Kristen Savage, Ashley Willard, Nicole Chow, Laura Crumley, Celine Goblet, Stephanie Hotujec, Jenna Bechard, Heather Wilson, Tina Bradford, Kara Patterson, Katie Kuhl, Christina Dietrich, Billy Pointer, Dylan Miller, Brittney Cossia, Alaina Darden, Jerry Brooks, Ross Fuller, Christina Workman, Todd Mattson, Samantha Harris, Jackie Wilmes, Kevin Mattson, Greg Nielson and Ashley Hensley.

The Journal of the fifty-second day was approved as corrected.

## HOUSE RESOLUTION

**House Resolution No. 897** was taken up by Representative Portwood and read.

### HOUSE RESOLUTION NO. 897

Whereas, it was with sad and heavy hearts that the members of the Missouri House of Representatives learned of the death of Lieutenant Terri Fussner, United States Navy, on March 12, 2002, while on active duty; and

Whereas, stationed as a helicopter pilot aboard the destroyer U.S.S. Hayler, Lieutenant Fussner lost her life one day short of her twenty-eighth birthday when her SH-60B Seahawk crashed ten minutes after takeoff eighty miles west of Greece in the Mediterranean Sea while on a routine maintenance check flight; and

Whereas, a native of Ballwin, Lieutenant Fussner was an alumna of the United States Naval Academy in Annapolis, Maryland; and

Whereas, an excellent athlete who ran marathons and triathlons as an adult, Terri Fussner graduated from Parkway South High School in 1992 in the Top Ten Percent of her class; and

Whereas, during her high school years, Terri Fussner maintained an "A" average in her courses; participated in track, swimming, and cheerleading; was a member of the 1991-1992 state championship cheerleading squad; earned placement on the All-State swimming team as a junior and the All-Conference District track team as a sophomore; and enjoyed induction into National Honor Society and election as her senior year Prom Queen; and

Whereas, the late Lieutenant Fussner is survived by her parents, Joyce and Don Fussner of Manchester, and her husband of four years, Lieutenant Garrett Luebker, United States Navy; and

Whereas, Lieutenant Terri Fussner's military service will be commemorated on March 25, 2002, at a ceremony at the Naval Academy, where a headstone will be placed in her honor:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, join unanimously to salute the late Lieutenant Terri Fussner; to memorialize her patriotism, life, and work; and to convey to all of her family members, colleagues, and friends this legislative body's most heartfelt condolences at the passing of her considerable warmth and light from their daily lives; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution in memory of Lieutenant Terri Fussner, United States Navy.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1281

and

House Resolution No. 1282 - Representative Griesheimer

House Resolution No. 1283 - Representative Luetkenhaus

House Resolution No. 1284 - Representative Smith

House Resolution No. 1285 - Representative Jetton

House Resolution No. 1286 - Representative Legan

House Resolution No. 1287 - Representative Moore

House Resolution No. 1288 - Representative Johnson (61)

House Resolution No. 1289 - Representative Townley

House Resolution No. 1290

and

- House Resolution No. 1291 - Representative Kelly (144)
- House Resolution No. 1292 - Representative Behnen
- House Resolution No. 1293 - Representative Crawford
- House Resolution No. 1294 - Representatives Williams and Berkstresser
- House Resolution No. 1295 - Representative King
- House Resolution No. 1296 - Representatives Hampton and Berkowitz
- House Resolution No. 1297 - Representative Cooper
- House Resolution No. 1298 - Representative Green (73)
- House Resolution No. 1299 - Representative Williams

House Resolution No. 1300

through

- House Resolution No. 1313 - Representative Cierpiot
- House Resolution No. 1314 - Representative Boucher
- House Resolution No. 1315 - Representative Myers
- House Resolution No. 1316 - Representative McKenna
- House Resolution No. 1317 - Representative Hegeman
- House Resolution No. 1318 - Representative Berkowitz
- House Resolution No. 1319 - Representative Crowell

House Resolution No. 1320

through

- House Resolution No. 1325 - Representative Crowell

House Resolution No. 1326

and

- House Resolution No. 1327 - Representative Bearden
- House Resolution No. 1328 - Representative Murphy

### **COMMITTEE REPORTS**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1058** and **HS HCS HBs 1502 & 1821**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Budget**, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget has adopted the following motion:

Motion of Approval Under Section 33.282, RSMo

Having reviewed the estimates of new tax credits for Fiscal Year 2003 submitted on January 18, 2002, to the chairman of the Budget Committee by the Budget Director pursuant to Section 33.282, RSMo, the Committee on Budget, under the authority of Section 33.282, hereby approves those estimated new tax credits for any tax year beginning after July 1, 2002, and before June 30, 2003, and directs the chairman of the committee to report adoption of this motion to the Chief Clerk of the House and request that the motion be printed in the Journal of the House.

### **PERFECTION OF HOUSE BILLS**

**HB 1460**, relating to compulsory school age, was taken up by Representative Hilgemann.

Speaker Pro Tem Abel assumed the Chair.

Representative Campbell offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 1460, Page 3, Section 167.031, Line 76, by adding the following new subsection:

**“The provisions of 167.031 and 167.051 shall not prohibit a school established pursuant to 160.400 to 160.415 from applying compulsory attendance age requirements greater than those established by the metropolitan school district.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Campbell moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Bray offered **House Amendment No. 2**.

**House Amendment No. 2** was withdrawn.

On motion of Representative Hilgemann, **HB 1460** was ordered perfected and printed.

**HCS HBs 1509 & 1510**, relating to Kansas City police retirement system, was taken up by Representative Curls.

On motion of Representative Curls, **HCS HBs 1509 & 1510** was adopted.

On motion of Representative Curls, **HCS HBs 1509 & 1510** was ordered perfected and printed.

**HCS HB 1143**, relating to distressed communities, was placed on the Informal Calendar.

**HCS HB 1888**, relating to pawnshops, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **HCS HB 1888** was adopted.

On motion of Representative Barnitz, **HCS HB 1888** was ordered perfected and printed.

**HCS HB 1962**, relating to court procedures, was taken up by Representative Monaco.

Representative Monaco offered **HS HCS HB 1962**.

Representative Smith offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962, Page 84, Section 595.045, Line 23 of said page, by inserting immediately after said section the following:

“621.015. The "Administrative Hearing Commission" is assigned to the office of administration. It shall consist of no more than [three] **four** commissioners. The commissioners shall be appointed by the governor with the advice and consent of the senate. The term of each commissioner shall be for six years, **beginning on the date of appointment, and continuing** until [his or her] **that commissioner's** successor is appointed, qualified and sworn. The commissioners shall be attorneys at law admitted to practice before the supreme court of Missouri, but shall not practice law during their term of office. Each commissioner shall receive annual compensation of fifty-one thousand dollars plus any salary adjustment provided pursuant to section 105.005, RSMo. Each commissioner shall also be entitled to actual and necessary expenses in the performance of his or her duties. The office of the administrative hearing commission shall be located in the City of Jefferson and it may employ necessary clerical assistance, compensation and expenses of the commissioners to be paid from appropriations from general revenue made for that purpose.

**621.040. 1. After the effective date of this act, all individuals authorized on that date as administrative law judges of the division of motor carrier and railroad safety within the department of economic development shall be commissioners of the administrative hearing commission within the office of administration, and shall serve out the unexpired remainder of their terms as commissioners. They shall have the same powers, duties, functions and compensation as provided by law for the other commissioners, and after the expiration of their terms they may be reappointed in the same manner as other commissioners.**

**2. The administrative hearing commission shall have jurisdiction to conduct hearings, make findings of fact and conclusions of law, and issue orders in all applicable cases relating to motor carrier and railroad regulation transferred to the highways and transportation commission pursuant to this act, except that, notwithstanding any provision of law to the contrary, the highways and transportation commission may issue final agency orders without involvement of the administrative hearing commission in relation to:**

**(1) Uncontested motor carrier cases, and other uncontested motor carrier matters, or in which all parties have waived a hearing in writing; and**

**(2) Approval of settlement agreements or issuance of consent orders in motor carrier or railroad enforcement cases, if all parties have consented in writing to the issuance of the commission's order.**

621.045. 1. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in those cases when, under the law, a license issued by any of the following agencies may be revoked or suspended or when the licensee may be placed on probation or when an agency refuses to permit an applicant to be examined upon his or her qualifications or refuses to issue or renew a license of an applicant who has passed an examination for licensure or who possesses the qualifications for licensure without examination:

Missouri State Board of Accountancy  
Missouri Board of Registration for Architects, Professional Engineers and Land Surveyors  
Board of Barber Examiners  
Board of Cosmetology  
Board of Chiroprody and Podiatry  
Board of Chiropractic Examiners

Missouri Dental Board  
Board of Embalmers and Funeral Directors  
Board of Registration for the Healing Arts  
Board of Nursing  
Board of Optometry  
Board of Pharmacy  
Missouri Real Estate Commission  
Missouri Veterinary Medical Board  
Supervisor of Liquor Control  
Department of Health and Senior Services  
Department of Insurance  
Department of Mental Health

2. [If in the future there are created by law any new or additional] **Any administrative agencies, including the department of elementary and secondary education regarding certification of teachers, whether existing now or created in the future,** which have the power to issue, revoke, suspend, or place on probation any license, **certificate or registration shall also fall** [, then those agencies are] under the provisions of this law.

3. Notwithstanding any other provision of this section to the contrary, after August 28, 1995, in order to encourage settlement of disputes between any agency described in subsection 1 **or 2** of this section and its licensees, any such agency shall:

(1) Provide the licensee with a written description of the specific conduct for which discipline is sought and a citation to the law and rules allegedly violated, together with copies of any documents which are the basis thereof, or file a contested case against the licensee, at least thirty days prior to offering the licensee a settlement proposal, and provide the licensee with an opportunity to respond to the allegations;

(2) If no contested case has been filed against the licensee, allow the licensee at least sixty days, from the date of mailing, during which to consider the agency's initial settlement offer and discuss the terms of such settlement offer with the agency;

(3) If no contested case has been filed against the licensee, advise the licensee that the licensee may, either at the time the settlement agreement is signed by all parties, or within fifteen days thereafter, submit the agreement to the administrative hearing commission for determination that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee; and

(4) In any contact pursuant to this subsection by the agency or its counsel with a licensee who is not represented by counsel, advise the licensee that the licensee has the right to consult an attorney at the licensee's own expense.

4. If the licensee desires review by the administrative hearing commission pursuant to subdivision (3) of subsection 3 of this section at any time prior to the settlement becoming final, the licensee may rescind and withdraw from the settlement and any admissions of fact or law in the agreement shall be deemed withdrawn and not admissible for any purposes under the law against the licensee. Any settlement submitted to the administrative hearing commission shall not be effective and final unless and until findings of fact and conclusions of law are entered by the administrative hearing commission that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee.

5. As to a matter settled prior to August 28, 1995, by consent agreement or agreed settlement, any party to a consent agreement or agreed settlement, other than a state agency, after having received written notice at their last known address known to the agency from the respective licensing agency of a person's rights under this section, shall have six months to file an action in the circuit court of Cole County contesting the authority of any agency described in subsection 1 **or 2** of this section to enter into such consent agreement or agreed settlement. Any consent agreement or agreed settlement which is not invalidated by the court pursuant to this subsection shall be given full force and effect by all courts and agencies.

**6. Notwithstanding any other provision of law to the contrary, any contested case involving a state administrative agency filed on or after January 1, 2003, relating to licensees, certificate holders or registrants not previously covered by this section, other than hearings involving discipline violations, hearings on the degree of appropriate disciplinary action against a licensee, certificate holder or registrant or as provided in subsections 7, 8 or 9 of this section, shall be brought initially before the commission and the commission shall conduct hearings and make findings of fact and conclusions of law. Any case pending which has not had a hearing completed by January 1, 2003, shall be transferred to the commission. Any pending case that has been heard**

prior to January 1, 2003, shall remain with the administrative agency hearing the matter pending the disposition of the case.

7. Any contested cases involving the board of registration for the healing arts where such case involves the automatic revocation of a license by the board pursuant to section 334.103, RSMo, shall continue to be heard before the board rather than the commission.

8. Pursuant to section 338.065, RSMo, any contested case involving the board of pharmacy where such case involves a licensee or registrant being adjudicated and found guilty or entering a plea of guilty or nolo contendere in a felony prosecution shall continue to be heard before the board rather than the commission.

9. Any contested case involving the board of registration for the healing arts or the dental board where such case involves a competency hearing to determine whether the licensee is competent to continue being licensed shall continue to be heard before the board rather than the commission.

10. In any case brought before the commission pursuant to this section, the state's interest shall be represented by the attorney general or his designee.

640.805. 1. All authority to hear appeals of findings, orders, decisions or assessments on permits, licenses, registrations, administrative penalties, civil penalties, abatement orders, emergency orders and any other actions that is granted to the director of the department of natural resources in chapters 260, 278, 319, 444, 640, 643, and 644, RSMo, the hazardous waste management commission in chapter 260, RSMo, the state soil and water districts commission in chapter 278, RSMo, the petroleum storage tank insurance fund board in chapter 319, RSMo, the land reclamation commission in chapter 444, RSMo, the safe drinking water commission in this chapter, the air conservation commission in chapter 643, RSMo, and the clean water commission in chapter 644, RSMo, shall be transferred to the administrative hearing commission and the procedures of chapter 621, RSMo, shall apply to such hearings.

2. The commission shall conduct all hearings and make findings of fact and conclusions of law in any contested case involving the department of natural resources or one of its commissions.

3. Any contested case arising pursuant to any of the provisions referenced in subsection 1 in this section and filed on or after January 1, 2003, shall be brought initially before the administrative hearing commission rather than before the department of natural resources or one of its commissions. Any case pending which has not had a hearing before the department or one of its commissions completed by January 1, 2003, shall be transferred to the administrative hearing commission. Any pending case that has been heard by the department or one of its commissions prior to January 1, 2003, shall remain with the department or commission that heard the matter pending the disposition of the case.

4. In any case brought before the administrative hearing commission pursuant to this section, the state's interest shall be represented by the attorney general or his designee.” and

Further amend the title and enacting clause accordingly.

On motion of Representative Smith, **House Amendment No. 1** was adopted.

Representative Shoemaker (8) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962 by inserting the following in the appropriate location:

"565.084. 1. A person commits the crime of tampering with a judicial officer if, with the purpose to harass, intimidate, or influence a judicial officer in the performance of such officer's official duties, [he] **the actor**:

- (1) Threatens or causes harm to such judicial officer or members of such judicial officer's family;
- (2) Uses force, threats, or deception against or toward such judicial officer or members of such judicial officer's family;
- (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such judicial officer or such judicial officer's family;
- (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer or such judicial officer's



family, including stalking pursuant to section 565.225.

2. A judicial officer for purposes of this section shall be a judge, arbitrator, special master, juvenile court commissioner, **drug court commissioner, family court commissioner**, state probation or parole officer, **juvenile court officer** or referee.

3. A judicial officer's family for purposes of this section shall be:

- (1) [His] **The officer** spouse; or
- (2) [His or his] **The officer's or the officer's** spouse's ancestor or descendant by blood or adoption; or
- (3) [His] **The officer's** stepchild, while the marriage creating that relationship exists."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Shoemaker (8), **House Amendment No. 2** was adopted.

Representative Lograsso offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962 by inserting the following in the appropriate location:

**“Section 3. Notwithstanding any other provision of law to the contrary, and except for the required credit hours of accredited programs and activities for continuing legal education devoted exclusively to professionalism, legal or judicial ethics, or malpractice prevention, attorneys elected to or employed by the general assembly during a regular legislative session shall be entitled to report fifteen credit hours for the reporting year that includes such regular legislative session.”; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 3** was adopted.

Representative Clayton offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962, Section 477.650, Page 27, Line 22, by inserting the following after **“Guidelines”**:

**“Fund money shall be subject to all restrictions imposed on such legal services organizations by law.”; and**

Further amend said substitute, Section 488.031, Page 34, Line 19, by deleting **“\$ 5.00”** and inserting in lieu thereof **“\$ 5.50”**; and

Further amend said substitute, Section 488.031, Page 34, Line 20, by deleting all of said line.

On motion of Representative Clayton, **House Amendment No. 4** was adopted.

Representative Shoemyer (9) offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962, Page 14, Section 50.555, Line 9 of said page, by inserting after said line the following:

**“59.040. 1. In a county of the third class, the question of combining the offices of circuit clerk and recorder or separating the offices may be submitted to the voters of the county by the county commission and shall be submitted by the county commission upon the petition of voters who comprise at least eight percent of the voters of the county as determined by the total vote for governor at the last preceding general election at which a governor was elected.**

**2. If the two offices are separate and the question is to combine the two offices, the question shall be submitted in substantially the following form:**

**Shall the offices of the circuit clerk and recorder in .....(name of county) county be combined?**

**3. If the two offices are combined and the question is to separate the two offices, the question shall be submitted in substantially the following form:**

**Shall the offices of circuit clerk and recorder in .....(name of county) county be separated?**

**4. The submission of the question provided for in this section may be made at the November election in 2004, or any fourth year thereafter. Any consolidation or separation brought about as a result of the provisions of this section shall not become effective until the expiration of the term of office of the officers affected.**

59.042. In any county where the offices of the clerk of the circuit court and the recorder of deeds are combined, the governing body of said county [,by public vote,] may, **by their own action in public session or under the provisions of 59.040**, authorize the separation of the two offices. Thereafter the recorder of deeds shall be elected pursuant to section 59.020.”; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Shoemyer (9), **House Amendment No. 5** was adopted.

Representative Holt offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962, Page 30, Section 488.012, Line 24, by inserting brackets ([]) around “Twelve” and inserting in lieu thereof **“up to eighteen”**.

Representative Bearden offered **House Substitute Amendment No. 1 for House Amendment No. 6**.

*House Substitute Amendment No. 1*

*for*

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962, Section 488.012, Page 30, Line 24, by inserting brackets ([]) around "Twelve" and inserting in lieu thereof **"Up to eighteen"**; and

Further amend said section, Page 31, Line 4, by inserting the following after "RSMo";:

**"provided, however, that after the eighteen dollar limit for municipal court costs has been reached, such limit may be increased every three years by the same percentage as the increase in the general price level for the preceding year as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency;"**.

On motion of Representative Bearden, **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted.

Representative Ransdall offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962 by inserting the following in the appropriate location:

"550.130. The bill of costs in any case, as provided for in [section] **sections 550.120 and 550.135**, shall be certified to by the judge and prosecuting attorney, as now provided by law, and shall be presented to the county commission in which the indictment was originally found, or proceedings instituted, and shall thereupon be paid as if the cause had been tried or otherwise disposed of in said county.

**550.135. 1. In any criminal case in which a change of venue is taken from one county to another county the clerk of the court shall calculate, at the end of each month, all costs which have accrued during that month and which can be determined before the final disposition of the case. If the state or county is liable under the provisions of this chapter for such costs or any part thereof, he or she shall make out and deliver forthwith to the prosecuting attorney of said county a fee bill specifying each item of services and the fee therefor.**

550.140. **Except as provided in section 550.135**, the clerk of the court in which any criminal cause shall have been determined or continued generally shall, immediately after the adjournment of the court and before the next succeeding term, calculate all costs which have accrued in the case. If the state or county is liable under the provisions of this chapter for costs or any part thereof, he **or she** shall make out and deliver forthwith to the prosecuting attorney of said county a complete fee bill, specifying each item of services and the fee therefor. The circuit clerk shall prepare a bill against the state containing only costs which are payable to the county.

550.180. If any clerk shall fail to tax the costs and make out a proper fee bill, or shall willfully neglect to perform any duty required of him **or her** in sections [550.140] **550.135** and 550.190, he **or she** shall be liable to the person injured by such neglect in treble the amount of costs to which the party is entitled in the cause, and the court shall give judgment therefor against the clerk, on motion of the party entitled thereto; provided, that the party asking such judgment shall give two days' notice of such motion, which may be served on the clerk or his **or her** deputy.

550.190. The prosecuting attorney shall strictly examine each bill of costs which shall be delivered to him **or her**, as provided in [section] **sections 550.135 and 550.140**, for allowance against the state or county, and shall ascertain as far as possible whether the services have been rendered for which the charges are made, and whether the fees charged are expressly given by law for such services, or whether greater charges are made than the law authorizes. If the fee bill has been made out according to law, or if not, after correcting all errors therein, he **or she** shall report the same to the judge of the court, either in term or in vacation, and if the same appears to be formal and correct, the judge and prosecuting attorney shall certify to the commissioner of administration, or clerk of the county commission, accordingly as the state or county is liable, the amount of costs due by the state or county on the fee bill, and deliver the same to the clerk who made it out, to be collected without delay, and paid over to those entitled to the fees allowed.

550.230. When the clerk shall send a bill of costs to the commissioner of administration or county commission, as provided in section 550.200, he shall expressly state in his **or her** certificate that he **or she** has not at any previous time certified or sent a copy of the same bill, or part thereof **except as provided for in section 550.135**, for payment; provided, that if the clerk shall, by oversight or mistake, fail to include any costs properly chargeable against the state or county in any fee bill, he **or she** may make out and present, as herein provided for making out bills of costs, a supplemental bill for the costs so omitted; provided, that the clerk shall in no case charge or receive any fee or fees whatsoever for the issuance of such supplemental fee bill.

**550.295. At the end of each month after the receipt, from either the state auditor or the county clerk, of each criminal court cost bill in any criminal case in which a change of venue was taken from one county to another county, the treasurer shall strike a balance of the same, and shall turn over the amounts collected on account of the various items of indebtedness herein mentioned to the various funds to which they belong or in the manner provided by sections 488.010 to 488.020, RSMo. And all uncalled for fees paid by the state shall be promptly transmitted to the state director of revenue who shall deposit the same in the state treasury, and those paid by the county shall be turned over to the credit of the county revenue fund.**

550.300. **Except as provided in section 550.295** at the end of each term of court after the receipt of each criminal court cost bill from either the state auditor or the county clerk, the treasurer shall strike a balance of the same, and shall turn over the amounts collected on account of the various items of indebtedness herein mentioned to the various funds to which they belong or in the manner provided by sections 488.010 to 488.020, RSMo. And all uncalled for fees paid by the state shall be promptly transmitted to the state director of revenue who shall deposit the same in the state treasury, and those paid by the county shall be turned over to the credit of the county revenue fund."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Ransdall, **House Amendment No. 7** was adopted.

Representative Byrd offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962, at the end of the bill, repeal Section 516.200 and insert in its stead the following:

**"The Statutes of Limitations contained in Chapters 516 and 537 may be extended for an additional period not to exceed two years if the court finds that the defendant has taken any action that hinders the plaintiff's ability to identify or serve the defendant, even if any long-term service is available upon the defendant.**

**The following actions by a defendant shall create a rebuttable presumption that the defendant has taken an action that hinders the plaintiff's ability to identify or serve the defendant:**

- 1. The use by the defendant, either before or after the cause of actions shall accrue, in the State of Missouri, of a fictitious name without first registering that fictitious name with the Missouri Secretary of State.**
- 2. Being absent or vacates the State of Missouri, either before or after the cause of action accrues, without appointing a registered agent in the State of Missouri for service of process. The appointment of such an agent for service of process shall not constitute the sole basis for jurisdiction over causes of action against the appointing individual, corporation or other entity.**
- 3. A change of name of the defendant at any time after the cause of action shall accrue.**
- 4. The refusal by the defendant to accept service by mail.**
- 5. The failure to appoint a registered agent in the State of Missouri, when the Statutes of the State of Missouri requires the appointment of a registered agent."**

On motion of Representative Byrd, **House Amendment No. 8** was adopted.

Representative Willoughby offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962 by inserting the following in the appropriate location:

"43.540. 1. As used in this section, the following terms mean:

(1) "Criminal record review", a request to the highway patrol for information concerning any criminal history record for a felony or misdemeanor **and any offense for which the person has registered pursuant to sections 589.400 to 589.425, RSMo;**

(2) "Patient or resident", a person who by reason of aging, illness, disease or physical or mental infirmity receives or requires care or services furnished by a provider, as defined in this section, or who resides or boards in, or is otherwise kept, cared for, treated or accommodated in a facility as defined in section 198.006, RSMo, for a period exceeding twenty-four consecutive hours;

- (3) "Patrol", the Missouri state highway patrol;
- (4) "Provider", any licensed day care home, licensed day care center, licensed child placing agency, licensed residential care facility for children, licensed group home, licensed foster family group home, licensed foster family home or any operator licensed pursuant to chapter 198, RSMo, any employer of nurses or nursing assistants for temporary or intermittent placement in health care facilities or any entity licensed pursuant to chapter 197, RSMo;
- (5) "Youth services agency", any public or private agency, school, or association which provides programs, care or treatment for or which exercises supervision over minors.

2. Upon receipt of a written request from a private investigatory agency, a youth service agency or a provider, with the written consent of the applicant, the highway patrol shall conduct a criminal record review of an applicant for a paid or voluntary position with the agency or provider if such position would place the applicant in contact with minors, patients or residents.

3. Any request for information made pursuant to the provisions of this section shall be on a form provided by the highway patrol and shall be signed by the person who is the subject of the request.

4. The patrol shall respond in writing to the youth service agency or provider making a request for information pursuant to this section and shall inform such youth service agency or provider of the **address and offense for which the offender registered pursuant to sections 589.400 to 589.425, RSMo, and the** nature of the offense, and the date, place and court **for any other offenses contained in the criminal record review**. Notwithstanding any other provision of law to the contrary, the youth service agency or provider making such request shall have access to all records of arrests resulting in an adjudication where the applicant was found guilty or entered a plea of guilty or nolo contendere in a prosecution pursuant to chapter 565, RSMo, sections 566.010 to 566.141, RSMo, or under the laws of any state or the United States for offenses described in sections 566.010 to 566.141, RSMo, or chapter 565, RSMo, during the period of any probation imposed by the sentencing court.

5. Any information received by a provider or a youth services agency pursuant to this section shall be used solely for the provider's or youth service agency's internal purposes in determining the suitability of an applicant or volunteer. The information shall be confidential and any person who discloses the information beyond the scope allowed in this section is guilty of a class A misdemeanor. The patrol shall inform, in writing, the provider or youth services agency of the requirements of this subsection and the penalties provided in this subsection at the time it releases any information pursuant to this section.

589.410. The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, **courts and other entities as provided by law** upon inquiry.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Willoughby, **House Amendment No. 9** was adopted.

Representative Monaco offered **House Amendment No. 10** .

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962, Page 16, Section 374.770, Line 5, by adding after the word “**surety**” the following:

**“However, said surety shall not be responsible for said costs if the surety wants to return said defendant to the jurisdiction in which the case is pending and the jurisdiction in which the defendant is held will not release said defendant to the surety.”; and**

Further amend said bill, same section, same page, Line 11, by adding after the word “**surety**” the following:

**“However, said surety shall not be responsible for said costs if the surety wants to return said defendant to the jurisdiction in which the case is pending and the jurisdiction in which the defendant is held will not release said defendant to the surety.”.**

On motion of Representative Monaco, **House Amendment No. 10** was adopted.

Representative Willoughby offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962 by inserting the following in the appropriate location:

“476.270. All expenditures accruing in the circuit courts, except salaries and clerk hire which is [payable] **paid** by the state, except all expenditures accruing in the municipal divisions of the circuit court, and except as otherwise provided by law, shall be paid out of the treasury of the county in which the court is held in the same manner as other demands.

483.245. 1. The provisions of this section shall become effective on July 1, 1981.

2. The circuit clerk, or person exercising the authority of the circuit clerk pursuant to county charter, shall appoint all deputy circuit clerks, including deputy circuit clerks serving in courtrooms, and shall prescribe and assign the duties of such deputy circuit clerks. The circuit clerk may remove from office any deputy circuit clerk whom he appoints. All division clerks, as defined in section 483.241, shall be appointed by the judge of the division such clerks serve, and such judge may remove from office any division clerk whom he appoints.

3. Notwithstanding the provisions of subsection 2 of this section, if, on June 30, 1981, in any county or in the city of St. Louis, there exists by reason of local charter, a plan of merit selection and retention or other similar personnel plan, providing for selection, tenure or retention of deputy circuit clerks or division clerks, after July 1, 1981, as to clerical personnel who were, on June 30, 1981, under such a plan, the provisions for merit retention and tenure shall continue to apply as to such persons insofar as is reasonably possible even though they are paid by the state and become state employees, and the circuit court en banc shall be considered as the commission or board for determining the propriety of any disciplinary or dismissal action.

4. In addition to the authority to remove deputy circuit clerks and division clerks hereinabove provided, the circuit court en banc may remove from office a deputy circuit clerk or division clerk for cause.

5. The maximum number of deputy circuit clerks for each county and the maximum number of division clerks for a particular division shall be determined by order of the circuit court en banc. Such order may be modified for cause by order of the supreme court, or if no order is entered providing for the number of deputy circuit clerks and division clerks, the supreme court may enter such order.

6. The salaries of deputy circuit clerks and division clerks shall be established by the circuit clerk in the case of deputy circuit clerks, or the judge appointing the division clerk in the case of division clerks, within salary ranges and classifications which may from time to time be established by administrative rule of the supreme court within the limit of funds appropriated for this purpose. The salaries of deputy circuit clerks and division clerks shall be paid by the state, and they shall be state employees.

**7. Notwithstanding the provisions of subsection 6 of this section, in any county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-four thousand one hundred inhabitants which contains all or a portion of a city with a population of at least three hundred thousand inhabitants, the county commission may vote to pay the salaries of deputy circuit clerks and division clerks directly from county funds.**

8. Notwithstanding the other provisions of this section providing for the establishment of the number of deputy circuit clerks and division clerks serving the various circuit courts and the determination of their salaries, such determinations shall not be construed as mandating appropriations to fund such positions, and the payment of the salaries and emoluments of deputy circuit clerks and division clerks shall be subject to the availability of moneys appropriated for those purposes by the general assembly or federal grant moneys.

[8.] **9.** For purposes of this section, the circuit court en banc shall be deemed to include all circuit and associate circuit judges of the entire circuit, and determinations or orders of the circuit court en banc shall be by action of a majority of such judges in office.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Willoughby, **House Amendment No. 11** was adopted.

Representative Lograsso offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Substitute for House Committee Substitute for House Bill No. 1962, Page 88, Section 2, Line 7, by adding the following at the end of said line:

**“Section 3.1. Notwithstanding any provision of law to the contrary, in any action construing a consumer service contract which contains an automatic renewal provision for a period longer than one year, such provision shall be deemed unconscionable and the court shall strike the provision from the underlying service contract.**

**2. As used herein, the term “consumer service contract” is a contract for the purchase of work, labor or services, including services furnished in connection with the sale, maintenance, lease, rent or repair of goods or equipment.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 12** was adopted.

On motion of Representative Monaco, **HS HCS HB 1962, as amended**, was adopted.

On motion of Representative Monaco, **HS HCS HB 1962, as amended**, was ordered perfected and printed.

**HCS HB 1527**, relating to university governing boards, was taken up by Representative Graham.

Representative Graham offered **HS HCS HB 1527**.

Representative Graham offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1527, Section 174.450, Page 4, Line 7 of said page, by inserting after the word “**and**” the following:

**“, notwithstanding the provisions of subsection 2 of section 174.453,”.**

On motion of Representative Graham, **House Amendment No. 1** was adopted.

On motion of Representative Graham, **HS HCS HB 1527, as amended**, was adopted.

On motion of Representative Graham, **HS HCS HB 1527, as amended**, was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 2:15 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Gina M. Cira.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1329  
and  
House Resolution No. 1330 - Representative Foley  
House Resolution No. 1331  
and  
House Resolution No. 1332 - Representative Willoughby  
House Resolution No. 1333  
and  
House Resolution No. 1334 - Representative Riback Wilson (25)  
House Resolution No. 1335 - Representative Kreider  
House Resolution No. 1336 - Representative Troupe  
House Resolution No. 1337  
and  
House Resolution No. 1338 - Representative Graham  
House Resolution No. 1339  
and  
House Resolution No. 1340 - Representative Carnahan  
House Resolution No. 1341 - Representative Black  
House Resolution No. 1342  
through  
House Resolution No. 1344 - Representative Rector  
House Resolution No. 1345 - Representatives Champion and Holand  
House Resolution No. 1346 - Representative Overschmidt  
House Resolution No. 1347 - Representative Quinn  
House Resolution No. 1348 - Representative Hosmer  
House Resolution No. 1349  
through  
House Resolution No. 1351 - Representative Riback Wilson (25)  
House Resolution No. 1352 - Representative Lowe

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:



AYES: 129

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Brooks	Burton	Campbell	Carnahan
Clayton	Cooper	Copenhaver	Crawford	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Koller	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	Mays 50	McKenna
Merideth	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reinhart	Relford	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Wilson 25	Mr. Speaker	

NOES: 001

Reid

PRESENT: 002

Reynolds Wright

ABSENT WITH LEAVE: 030

Barry 100	Behnen	Berkstresser	Boykins	Britt
Burcham	Byrd	Champion	Cierpiot	Crowell
Enz	Gambaro	Hegeman	Hosmer	Hunter
Johnson 61	King	Lawson	Lograsso	May 149
Mayer	Miller	Murphy	Paone	Richardson
Seigfreid	Skaggs	Van Zandt	Willoughby	Wilson 42

VACANCIES: 001

## PERFECTION OF HOUSE BILLS - INFORMAL

**HCS HB 1143**, relating to distressed communities, was taken up by Representative Rizzo.

Representative Foley offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1143 by inserting at the appropriate location the following:

"143.811. 1. Under regulations prescribed by the director of revenue, interest shall be allowed and paid at the rate determined by section 32.065, RSMo, on any overpayment in respect of the tax imposed by sections 143.011 to 143.996; except that, where the overpayment resulted from the filing of an amendment of the tax by the taxpayer after the last day prescribed for the filing of the return, interest shall be allowed and paid at the rate of six percent per annum. With respect to the part of an overpayment attributable to a deposit made pursuant to subsection 2 of section 143.631, interest shall be paid thereon at the rate in section 32.065, RSMo, from the date of the deposit to the date of refund. No interest shall be allowed or paid if the amount thereof is less than one dollar.

2. For purposes of this section:

(1) Any return filed before the last day prescribed for the filing thereof shall be considered as filed on such last day determined without regard to any extension of time granted the taxpayer;

(2) Any tax paid by the taxpayer before the last day prescribed for its payment, any income tax withheld from the taxpayer during any calendar year, and any amount paid by the taxpayer as estimated income tax for a taxable year shall be deemed to have been paid by him on the fifteenth day of the fourth month following the close of his taxable year to which such amount constitutes a credit or payment.

3. For purposes of this section with respect to any withholding tax:

(1) If a return for any period ending with or within a calendar year is filed before April fifteenth of the succeeding calendar year, such return shall be considered filed April fifteenth of such succeeding calendar year; and

(2) If a tax with respect to remuneration paid during any period ending with or within a calendar year is paid before April fifteenth of the succeeding calendar year, such tax shall be considered paid on April fifteenth of such succeeding calendar year.

4. If any overpayment of tax imposed by sections 143.011 to 143.996 is refunded within four months after the last date prescribed (or permitted by extension of time) for filing the return of such tax or within four months after the return was filed, whichever is later, no interest shall be allowed under this section on overpayment.

5. Any overpayment resulting from a carryback, including a net operating loss and a corporate capital loss, shall be deemed not to have been made prior to the close of the taxable year in which the loss arises.

**6. Any overpayment resulting from a carryback of a tax credit, including but not limited to the tax credits provided in sections 253.557 and 348.432, RSMo, shall be deemed not to have been made prior to the close of the taxable year in which the tax credit was authorized.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, **House Amendment No. 1** was adopted.

Speaker Pro Tem Abel resumed the Chair.

Representative Kelly (144) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1143, Section A, Line 3, by inserting after all of said line the following:

**"135.259. In addition to the number of enterprise zones authorized pursuant to the provisions of sections 135.206, 135.210, 135.256, and 135.257, the department of economic development shall designate one such zone for any county of the third classification without a township form of government with a population of less than eighteen thousand and more than seventeen thousand nine hundred. Such enterprise zone designation shall only be made if such area which is to be included in the enterprise zone meets all the requirements of section 135.205.";** and

Further amend said bill in the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (144), **House Amendment No. 2** was adopted.

Representative Villa offered **House Amendment No. 3**.

Representative Rizzo raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hegeman offered **House Amendment No. 3**.

Representative Rizzo raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Portwood offered **House Amendment No. 3**.

Representative Rizzo raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hegeman offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1143, Page 6, Section 135.530, Lines 12 to 15 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"household income [for the nonmetropolitan areas] in Missouri according to the last decennial census or a census block group or contiguous group of block groups which has a population of at least [two thousand] five hundred each block group having a median"; and

Further amend said bill, Page 6, Section 135.530, Line 16 of said page, by deleting all of said line and inserting in lieu thereof the following: "income for [the nonmetropolitan areas of] Missouri, according to"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hegeman, **House Amendment No. 3** was adopted.

Representative Merideth offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1143, Pages 6 and 7, Section 135.530, Lines 17 through 21, by deleting the following:

“In metropolitan statistical areas, the definition shall include areas that are designated as either a federal empowerment zone; or a federal enhanced enterprise community; or a state enterprise zone that was originally designated before January 1, 1986, but will not include expansions of such state enterprise zones done after March 16, 1988.”.

On motion of Representative Merideth, **House Amendment No. 4** was adopted.

**HCS HB 1143, as amended**, was laid over.

**HCS HB 1735**, relating to the local government investment pool, was taken up by Representative Hoppe.

Representative Hoppe offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1735, Page 3, Section 30.952, Line 7, by inserting after the word "**counties**" the following: "**other than counties of the third or fourth classification**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Villa assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Hoppe moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 036

Baker	Bland	Bowman	Brooks	Carnahan
Clayton	Copenhaver	Daus	Davis	Farnen
Foley	Franklin	Gambaro	George	Green 73
Hagan-Harrell	Harding	Haywood	Hilgemann	Hollingsworth
Hoppe	Johnson 90	Jolly	Jones	Lowe
Mays 50	McKenna	Murphy	O'Connor	O'Toole
Paone	Ransdall	Reynolds	Shelton	Treadway
Walton				

NOES: 104

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bearden	Behnen	Berkowitz	Black	Boatright
Boucher	Bray 84	Burton	Byrd	Campbell
Champion	Cierpiot	Cooper	Crawford	Crowell
Crump	Cunningham	Dempsey	Dolan	Enz
Fares	Fraser	Froelker	Gaskill	Graham

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Gratz	Green 15	Griesheimer	Hampton	Hanaway
Harlan	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Holt	Hosmer	Hunter
Jetton	Kelley 47	Kelly 144	Kelly 36	King
Koller	Legan	Liese	Lograsso	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	Merideth
Miller	Moore	Myers	Naeger	Nordwald
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Townley	Van Zandt
Villa	Vogel	Wagner	Walker	Ward
Whorton	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 007

Curls	Kelly 27	Linton	Relford	Smith
Williams	Willoughby			

ABSENT WITH LEAVE: 015

Barry 100	Bartle	Berkstresser	Bonner	Boykins
Britt	Burcham	Hickey	Johnson 61	Lawson
Long	Marble	Monaco	Troupe	Wright

VACANCIES: 001

Representative Villa resumed the Chair.

On motion of Representative Hoppe, **HCS HB 1735** was adopted.

Representative Hoppe moved that **HCS HB 1735** be perfected and printed.

Which motion was defeated by the following vote:

AYES: 041

Baker	Bland	Bonner	Bowman	Bray 84
Brooks	Campbell	Carnahan	Curls	Daus
Farnen	Foley	Gambaro	George	Green 73
Hagan-Harrell	Harlan	Hartzler	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Jones
Lowe	McKenna	Murphy	O'Connor	O'Toole
Paone	Reynolds	Selby	Shelton	Thompson
Treadway	Van Zandt	Wagner	Walker	Williams
Wilson 42				

NOES: 102

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bearden	Behnen	Berkowitz	Black	Boatright
Boucher	Burton	Byrd	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Davis	Dempsey	Dolan

Enz	Fares	Fraser	Froelker	Gaskill
Graham	Green 15	Griesheimer	Hampton	Hanaway
Harding	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Legan	Liese	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Myers	Nordwald
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Townley	Villa
Vogel	Walton	Ward	Whorton	Willoughby
Wilson 25	Mr. Speaker			

PRESENT: 001

Linton

ABSENT WITH LEAVE: 018

Barry 100	Bartle	Berkstresser	Boykins	Britt
Burcham	Franklin	Gratz	Johnson 61	Koller
Lawson	Lograsso	Long	Marble	Naeger
Scheve	Troupe	Wright		

VACANCIES: 001

**HCS HB 1143, as amended**, was again taken up by Representative Rizzo.

On motion of Representative Rizzo, **HCS HB 1143, as amended**, was adopted.

On motion of Representative Rizzo, **HCS HB 1143, as amended**, was ordered perfected and printed.

### PERFECTION OF HOUSE BILLS

**HCS HB 1809**, relating to Kansas City school board recall election, was taken up by Representative Sanders Brooks.

Representative Smith assumed the Chair.

Representative Sanders Brooks offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1809, Page 1, Section 162.015, Line 13, by inserting immediately after the word “**sought**” the following:

**“,which are limited to the following: misconduct in office, attempting to exert undue influence, or failure to perform prescribed duties”.**

On motion of Representative Sanders Brooks, **House Amendment No. 1** was adopted.

Representative Villa offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1809 by inserting in the appropriate location the following section:

"162.601. 1. Elected members of the board in office on August 28, 1998, shall hold office for the length of term for which they were elected, and any members appointed pursuant to section 162.611 to fill vacancies left by elected members in office on August 28, 1998, shall serve for the remainder of the term to which the replaced member was elected.

2. No board members shall be elected at the first municipal election in an odd-numbered year next following August 28, 1998.

3. Three board members shall be elected at the second municipal election in an odd-numbered year next following August 28, 1998, to serve four-year terms.

4. Four board members shall be elected at the third municipal election in an odd-numbered year next following August 28, 1998, and two of such members shall be elected to four-year terms and two of such members shall be elected to three-year terms.

5. Beginning with the fourth municipal election in an odd-numbered year next following August 28, 1998, and at each succeeding municipal election in a year during which board member terms expire, there shall be elected members of the board of education, who shall assume the duties of their office at the first regular meeting of the board of education after their election, and who shall hold office for four years, and until their successors are elected and qualified.

6. [Members of the board of directors shall be elected to represent seven subdistricts. The subdistricts shall be established by the state board of education to be compact, contiguous and as nearly equal in population as practicable. The subdistricts shall be revised by the state board of education after each decennial census and at any other time the state board determines that the district's demographics have changed sufficiently to warrant redistricting.

7. A member shall reside in and be elected in the subdistrict which the member is elected to represent. Subdistrict 1 shall be comprised of wards 1, 2, 22 and 27. Subdistrict 2 shall be comprised of wards 3, 4, 5 and 21. Subdistrict 3 shall be comprised of wards 18, 19, 20 and 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and 28. Subdistrict 5 shall be comprised of wards 9, 10, 11 and 12. Subdistrict 6 shall be comprised of wards 13, 14, 16 and 25. Subdistrict 7 shall be comprised of wards 8, 15, 23 and 24.

8.] No one may run for school board who is employed by the school district [or who is related to an employee of the school district within the second degree of affinity or consanguinity]."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Villa, **House Amendment No. 2** was adopted.

Representative Bray offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1809, Page 2, Section 162.015, Line 38, by adding after all of said line the following:

"162.291. The voters of each seven-director district other than urban districts shall, at municipal elections, elect two **or three** directors **according to the schedule set out in section 162.459** who are citizens of the United States and resident taxpayers of the district, who have resided in [this state] **and been registered voters of the district** for one year next preceding their election or appointment, and who are at least twenty-four years of age.

162.459. 1. Notwithstanding other provisions of law to the contrary, the school board of each **seven-director** school district [designated in the statutes as a seven-director, seven-director] or urban school district, except an urban district containing the greater part of a city of more than three hundred thousand inhabitants, shall consist of seven members. At the first election for members of the school board in each of such districts after January 1, 1993, and each three years thereafter, three members of the school board shall be elected **and two members in other years**; except, no school district composed of seven members as of January 1, 1993, shall be required to modify its schedule of electing board members.

2. Provisions of law applicable to seven-director[, seven-director] and urban school districts, except those which conflict with the provisions of this section, shall apply to and govern the school districts designated in subsection 1 of this section."; and

Further amend title, enacting clause, and intersectional references accordingly.

On motion of Representative Bray, **House Amendment No. 3** was adopted.

Representative Bearden offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1809, Section A, Page 1, Line 2, by inserting immediately after said line the following:

**"162.014. 1. In addition to the recall procedures provided in section 160.538, a school board member in any school district may be removed by the voters in a recall election. Such election shall be held upon the submission of a petition signed by voters of the district equal in number to at least twenty-five percent of the number of persons voting at the last preceding election to elect a district board member. The petition shall be filed with the election authority and the secretary of the district board of education, and the petition shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall add to his or her signature his or her place of residence, giving the street and number. One of the signers of each paper shall make oath before an officer competent to administer oaths that the statements made on the paper are true as he or she believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.**

**2. Within ten days from the date of the filing the petition, the election authority shall examine and ascertain whether the petition is signed by the requisite number of voters. The election authority shall attach to the petition his or her certificate, showing the result of the examination. If the petition is shown to be insufficient, it may be amended within ten days from the date of the certificate. The election authority shall, within ten days after such amendment, make like examination of the amended petition and, if his or her certificate shall show the amended petition to be insufficient, it shall be returned to the person filing the amended petition, without prejudice to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient, the election authority shall submit the petition to the district board without delay. If the petition shall be found to be sufficient, the district board shall order the question to be submitted to the voters of the district.**

**3. If a majority of the voters vote in favor of retaining the member, the member shall remain in office and shall not be subject to another recall election during his or her term of office, except as provided in subsection 2 of section 160.538. If a majority of voters vote to remove the member, his or her successor shall be chosen as provided in section 162.261, RSMo."; and**

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Bearden moved that **House Amendment No. 4** be adopted.

Which motion was defeated.



Representative Franklin offered **House Amendment No. 5**.

Representative Curls raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Villa resumed the Chair.

Representative Cunningham offered **House Amendment No. 5**.

Representative Bowman raised a point of order that **House Amendment No. 5** is not germane to the bill.

Representative Villa requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Sanders Brooks, **HCS HB 1809, as amended**, was adopted.

On motion of Representative Sanders Brooks, **HCS HB 1809, as amended**, was ordered perfected and printed.

**HB 1726**, relating to bullying in public schools, was taken up by Representative Walton.

Representative Gambaro offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1726 by inserting in the appropriate location the following:

"160.730. 1. There is hereby established in the department of elementary and secondary education the "Motivating Parents and Children" (MPAC) program. This program shall be a pilot program for school districts to provide parental involvement services to families with compulsory school age children who are considered "at-risk" students by the school district, as that term is defined in section 167.273, RSMo.

2. Subject to appropriation, the department of elementary and secondary education shall provide grants to six qualifying school districts per year to provide services to families with at-risk students. Three of the qualifying school districts shall be rural districts, and three shall be urban districts. The department of elementary and secondary education shall establish or provide the following as part of the services of this program:

(1) A statewide program coordinator, to be employed by the department of elementary and secondary education;

(2) Development and implementation of a program of family support services, which shall also be available to home school students;

(3) Program requirement that parents or guardians shall spend a day in school with their child if the child violates any disciplinary rules of the school district, other than suspension or expulsion;

(4) Upon school board approval, the establishment of an incentive program for children whose parents

attend parent-teacher association meetings or parenting classes.

(5) Establishment of a program using volunteers to provide child care services for parents who attend parenting classes or attend after-school or evening programs related to parenting.

3. The department of elementary and secondary education shall develop criteria to determine which school districts qualify for the services of this program. The commissioner shall have the authority to promulgate any rules necessary to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

4. There is hereby established in the state treasury the "Motivating Parents and Children Fund", which shall consist of all moneys appropriated to the fund and all donations, bequests, or other gifts of any kind deposited in the fund. The fund shall be administered by the department of elementary and secondary education for the purpose of funding the grants described in this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not be transferred to the general revenue fund at the end of the biennium. All interest and moneys earned on such fund shall be credited to the fund."; and

Further amend the title, enacting clause, and intersectional references accordingly.

**HB 1726, with House Amendment No. 1, pending,** was laid over.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 38** - Miscellaneous Bills & Resolutions

### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolutions were referred to the Committee indicated:

**SCR 37** - Children, Families and Health

**SCR 46** - Children, Families and Health

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS SCS SB 675** - Elections

**SS SCS SB 840** - Judiciary

### **COMMITTEE REPORTS**

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 1306 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1650**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Utilities Regulation**, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 28

Whereas, sustained investment in electric, natural gas, water, sewer, and heating utility infrastructure is vital to the economic vitality and well-being of the State of Missouri; and

Whereas, Missouri electric, natural gas, water, sewer, and heating utility companies compete with utility companies in other states for the capital necessary to sustain investment in utility infrastructure in Missouri; and

Whereas, Missouri electric, natural gas, water, sewer, and heating utility companies must achieve reasonable rates of return as compared to the rates of return achieved by utility companies in other states to ensure sustained investment in utility infrastructure in Missouri; and

Whereas, the utility regulatory process is a primary factor in determining the rate of return levels regulated electric, natural gas, water, sewer, and heating utility companies may achieve; and

Whereas, the utility regulatory process in Missouri, as it applies to electric, natural gas, water, sewer, and heating corporations, is governed primarily by Chapter 393, RSMo, which is largely unchanged since original enactment in 1913; and

Whereas, the potential for the deregulation of utilities in Missouri has received substantial legislative study in recent years, while the ongoing utility regulatory process and procedure has not enjoyed broad legislative evaluation; and

Whereas, the utility regulatory process must be periodically evaluated so as to promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies, by addressing policy and practice advances in areas including, but not limited to, nontraditional regulatory rate plans, performance-based regulatory rate plans, incentive regulatory rate plans, capital recovery schedules, consistency of utility regulatory policy with generally accepted accounting principles, consistency of utility regulatory policy with financial accounting standards, consistency of utility regulatory policy with generally accepted engineering principles, communication between and among participants in the regulatory process, time schedules for the initiation and conclusion of proceedings before utility regulatory agencies, the role, function and needs of the Public Service Commission, the role, function and needs of the Office of Public Counsel, and the overall structure and cost of governmental utility regulatory agencies and the utility regulatory process:

Now, therefore, be it resolved by the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, that a "Joint Legislative Committee on Utility Regulation and Infrastructure Investment" be created to be composed of five members of the Senate, to be appointed by the President Pro Tem of the Senate, and five members of the house of Representatives, to be appointed by the Speaker of the House of Representatives, and that the committee be authorized throughout the Ninety-first General Assembly; and

Be it further resolved that the committee conduct in-depth studies and make appropriate recommendations concerning: how the utility regulatory process and the results thereof in Missouri in regard to electric, natural gas, water, sewer, and heating utility companies compare to the utility regulatory process and the results thereof in other states; and how the utility regulatory process in Missouri in regard to electric, natural gas, water, sewer, and heating utility companies can, or should, be modernized to be more efficient and effective, ensure sustained investment in utility infrastructure, and promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies; and

Be it further resolved that the committee present a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-second General Assembly; and

Be it further resolved that the committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Office of the Public Counsel, political subdivisions of this state, energy utilities, water utilities, heating corporations and representatives of energy and water customer groups; and

Be it further resolved that House Research, the Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

Be it further resolved that the actual and necessary expenses of the committee, its members, and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HJR 47**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 40**, introduced by Representatives Walton and Moore, et al, to create a Joint Interim Committee on After-school Programs.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 884**, entitled:

An act to repeal section 408.500, RSMo, and to enact in lieu thereof three new sections relating to restrictions on payday loans, with penalty provisions.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Berkstresser.

## **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 17, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-second Day, Monday, April 15, 2002, page 1093, roll call, by showing Representative Sanders Brooks voting "aye" rather than "absent with leave".

Page 1094, roll call, by showing Representative Sanders Brooks voting "aye" rather than "absent with leave".

Page 1094, roll call, by showing Representative George voting "no" rather than "absent with leave".

Pages 1095 and 1096, roll call, by showing Representative Bartelsmeyer voting "no" rather than "absent with leave".

Pages 1097 and 1098, roll call, by showing Representatives George, Hosmer and Wright voting "aye" rather than "absent with leave".

Pages 1097 and 1098, roll call, by showing Representative McKenna voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, April 17, 2002. Hearing Room 7 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: SCR 47

### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, April 18, 2002, 8:15 a.m. Hearing Room 6.

Executive Session to be held on: HB 1133, HB 1303, HB 1947, HB 1975, HB 2086

### **CIVIL AND ADMINISTRATIVE LAW**

Wednesday, April 17, 2002. Hearing Room 1 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: SB 969

### **EDUCATION - ELEMENTARY AND SECONDARY**

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 3.

Public Hearing to be held on: SB 718, SB 722, SB 756, SB 860

ENVIRONMENT AND ENERGY

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 7.  
Executive Session. Public Hearing to be held on: SB 821

FISCAL REVIEW AND GOVERNMENT REFORM

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 1.  
Fiscal Review.  
Executive Session to be held on: HB 1654

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, April 18, 2002. Senate Lounge upon noon adjournment. AMENDED.  
Rule Number 19 CSR 30-82.010,.020,.070 30-83.010.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 17, 2002, 9:00 a.m. Hearing Room 6. AMENDED.  
Executive Session may follow.  
Public Hearing to be held on: HCR 38, SB 712

TRANSPORTATION

Wednesday, April 17, 2002. Hearing Room 6 upon morning recess.  
Executive Session to follow.  
Public Hearing to be held on: HCR 33

UTILITIES REGULATION

Wednesday, April 17, 2002, 8:30 a.m. Side gallery.  
Executive session. Public Hearing to be held on: HB 2083

**HOUSE CALENDAR**

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 17, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 40

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 28 - Villa
- 2 HCS HJR 51 - Whorton
- 3 HCS HJR 47 - Willoughby

### **HOUSE BILLS FOR PERFECTION**

- 1 HB 1726, HA 1, pending - Walton
- 2 HCS HB 1729, 1589 & 1435 - Barnitz
- 3 HCS HB 1717 - Foley
- 4 HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Campbell
- 5 HCS HB 1695 - Selby
- 6 HB 1090 - Reynolds
- 7 HB 1508 - Koller
- 8 HCS HB 1936 - Berkowitz
- 9 HB 1350 - Liese
- 10 HCS HB 1656 - Wright
- 11 HCS HB 1216 - Johnson (61)
- 12 HB 1627 - Kreider
- 13 HCS HB 1886 - Rizzo
- 14 HB 1307 - Williams
- 15 HB 1988 - Kelly (144)
- 16 HCS HB 1868 - Barry
- 17 HB 2160 - Britt
- 18 HCS HB 1650 - Hoppe

### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

### **HOUSE BILL FOR PERFECTION - REVISION**

HB 2078 - Clayton

### **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 13, (4-9-02, Pages 1024 & 1025) - Bowman
- 2 HCR 18, (4-9-02, Pages 1022 & 1023) - Wilson (42)
- 3 HCR 16, (4-10-02, Pages 1050 & 1051) - Farnen
- 4 HCR 24, (4-11-02, Pages 1084 & 1085) - Kreider
- 5 HCR 34, (4-11-02, Pages 1080 & 1081) - Riback Wilson (25)
- 6 HCR 28, (4-16-02) - Willoughby

### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1306, E.C. - Williams
- 3 HS HCS HB 1654 & 1156, (Fiscal Review 4-15-02) - Hosmer
- 4 HS HCS HB 1756 - Reid
- 5 HB 1058 - Haywood
- 6 HS HCS HB 1502 & 1821 - Luetkenhaus

**HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL**

- 1 HB 1872 - Hosmer
- 2 HB 2155 - Willoughby

**SENATE BILL FOR SECOND READING**

SS SCS SB 884

**SENATE BILLS FOR THIRD READING - CONSENT**

(April 15, 2002)

SCS SB 988 - Hartzler

(April 16, 2002)

- 1 HCS SCS SB 645 - Relford
- 2 HCS SB 992 - Rizzo
- 3 SB 1124 - Gambaro
- 4 SCS SB 804 - Sanders Brooks
- 5 SB 639 - Williams
- 6 HCS SCS SB 776 - Harlan
- 7 HCS SCS SB 1113 - Farnen
- 8 SCS SB 997 - Willoughby
- 9 HCS SB 1012 - Lawson
- 10 HCS SB 795 - Treadway
- 11 HCS SCS SB 1086 & 1126 - Hoppe
- 12 HCS SB 786 - Campbell
- 13 SCS SB 1132 - Daus
- 14 HCS SB 1244 - Barry
- 15 HCS SB 961 - Curls
- 16 SB 708 - Lawson
- 17 SB 701 - Lowe
- 18 SB 742 - Monaco
- 19 HCS SB 749 - Monaco



- 20 HCS SB 1213 - Hosmer
- 21 HCS SCS SB 1210 - Lawson
- 22 SB 1247 - Willoughby
- 23 SB 1001 - Crump
- 24 HCS SB 1078 - Hoppe
- 25 SB 941 - Mays (50)
- 26 HCS SB 695 - Barry
- 27 HCS SB 962 - Jolly
- 28 HCS SB 1119 - Kelly (27)
- 29 SB 1217 - Boykins
- 30 SCS SB 967 - Hagan-Harrell
- 31 SB 1243 - Kelly (27)
- 32 HCS SCS SB 1212 - Ransdall
- 33 SB 1041, HCAs 1, 2 & 3 - Gratz
- 34 SB 1168, HCA 1 - Gratz
- 35 SB 974 - Koller
- 36 HCS SB 1251 - Monaco
- 37 SCS SB 1163 - Ransdall
- 38 SB 720 - Hoppe
- 39 HCS SB 714 - Barry
- 40 SCS SB 729 - Luetkenhaus
- 41 SB 891 - Rizzo
- 42 HCS SB 932 - Smith
- 43 SCS SB 1015 - Relford
- 44 SCS SB 1071 - Lawson
- 45 HCS SB 1094 - Green (73)
- 46 SB 1048 - Reinhart
- 47 SB 1028 - Luetkemeyer
- 48 SB 812 - Holand
- 49 SB 726 - Gaskill
- 50 SB 865 - Myers
- 51 SCS SB 918 - Linton
- 52 HCS SB 1102 - Hosmer
- 53 SB 1109 - Portwood
- 54 HCS SCS SB 947 - Farnen
- 55 SCS SB 1207 - Holand
- 56 SCS SB 1151 - Myers
- 57 HCS SCS SB 980 - Hunter
- 58 SCS SB 874 - Franklin
- 59 HCS SB 1186 - Hoppe
- 60 SCS SB 1182 - Barry
- 61 HCS SCS SB 1202, E.C. - Koller
- 62 HCS SB 758 - Hosmer
- 63 SCS SB 1024 - Holand
- 64 SB 976 - Portwood

- 65 SS SCS SB 959, E.C. - Rizzo
- 66 SB 644 - Davis
- 67 SCS SB 1241, 1253 & 1189 - Boykins
- 68 SCS SB 966 - Gambaro
- 69 SB 798 - Ross
- 70 SCS SB 745 - Kelly (144)
- 71 HCS SB 950 - Griesheimer
- 72 SB 1199, HCA 1 - Bearden
- 73 HCS SCS SB 960 - O'Connor
- 74 HCS SCS SB 1093 - Hilgemann
- 75 SB 831 - Gambaro
- 76 HCS SCS SB 957 - Reid
- 77 SCS SB 656 - Luetkenhaus
- 78 HCS SCS SB 737 - Berkowitz

**SENATE BILL FOR THIRD READING**

SB 1220 - O'Toole

**HOUSE RESOLUTIONS**

- 1 HR 341, (3-7-02, Page 518) - Ladd Baker
- 2 HR 281, (4-9-02, Pages 1021 & 1022) - Hampton

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTY-FOURTH DAY, WEDNESDAY, APRIL 17, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, help us to see that the pace at which we live makes our living difficult. We go so fast that we miss Your “still small voice” that sounds in mind and soul. Bless the men and women of the House. Give to them a passion for the principles of excellence, protect them from politics expedient.

Help them make these moments of service to Missouri count, and reveal to them Your truth for this day. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tyler Cukar, Phillip Raine, Melissa Guevara, Alex Ramirez, Daniel Green, Andrew Adrian, Andrea Lehman, Valerie Kelsey, Joshua Golliver, Rebecca Gordon, Russ Kohl, Nicole Survant, Lindsay Heitisimer, Casey Fitzgerald, Dzenan Kahrimanovic, Emmanuel Porter, Mark Buhrmester, Kaitlin Boyd, Meredith Starrs, Mike Newton, Alex Linan, McKinna Allen, Kelsey Allen, Aaron Turner, Sydney Turner, Stefannie Cundiff and Aaron Porter.

The Journal of the fifty-third day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1353 - Representative Harlan  
House Resolution No. 1354  
through  
House Resolution No. 1359 - Representative Crowell  
House Resolution No. 1360 - Representative Burton  
House Resolution No. 1361  
and  
House Resolution No. 1362 - Representative St. Onge  
House Resolution No. 1363 - Representative Townley  
House Resolution No. 1364 - Representative Mayer  
House Resolution No. 1365  
through  
House Resolution No. 1367 - Representative Harding  
House Resolution No. 1368 - Representative May (149)

House Resolution No. 1369

and

House Resolution No. 1370 - Representative Copenhaver

House Resolution No. 1371

and

House Resolution No. 1372 - Representative Hampton

House Resolution No. 1373 - Representative Berkowitz

House Resolution No. 1374 - Representative Reinhart

House Resolution No. 1375 - Representative Williams

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 40** was read the second time.

### **SECOND READING OF SENATE BILL**

**SS SCS SB 884** was read the second time.

### **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1962, HCS HB 1143, HCS HB 1809, HS HCS HB 1527, HCS HB 1888, HB 1460** and **HCS HBs 1509 & 1510**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

### **PERFECTION OF HOUSE BILL - REVISION**

**HB 2078**, relating to the repeal of expired sections, was taken up by Representative Clayton.

On motion of Representative Clayton, **HB 2078** was ordered perfected and printed.

Speaker Pro Tem Abel assumed the Chair.

### **ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 18**, relating to consumer credit issues, was taken up by Representative Wilson (42).

On motion of Representative Wilson (42), **HCR 18** was read the third time and passed by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Boykins	Burcham	Graham	Hohulin	Hunter
Lograsso	Murphy			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCR 16**, relating to Statuary Hall, was taken up by Representative Farnen.

On motion of Representative Farnen, **HCR 16** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Bowman	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Boucher	Boykins	Burcham	Franklin	Hegeman
Hohulin	Hunter	Kelly 144	Lograsso	Long
Richardson	Williams			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

Miss Katie Harman, Miss America 2002, addressed the House.

Speaker Pro Tem Abel resumed the Chair.

## ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 24**, relating to approval for bonds, was taken up by Representative Kreider.

Representative Hollingsworth moved that **HCR 24** be referred to the Committee on Fiscal Review and Government Reform pursuant to Rule 28.

Representative Kreider raised a point of order that the motion is not in order.

The Chair ruled the point of order that **HCR 24** be referred to Fiscal Review and Government Reform is not a proper motion.

On motion of Representative Kreider, **HCR 24** was read the third time and passed by the following vote:

AYES: 124

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Carnahan	Champion	Cooper	Copenhaver	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Johnson 90	Jolly
Jones	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Marble
Marsh	Mayer	Mays 50	McKenna	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Purgason	Quinn	Ransdall	Reid
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 033

Bartle	Behnen	Byrd	Campbell	Cierpiot
Clayton	Crawford	Crowell	Enz	Henderson
Hendrickson	Hohulin	Hollingsworth	Hunter	Jetton
Johnson 61	Kelley 47	Kelly 27	Linton	Lograsso
Lowe	Luetkemeyer	May 149	Merideth	Naeger
Portwood	Rector	Ridgeway	Roark	Shoemaker
St. Onge	Van Zandt	Wilson 25		

PRESENT: 000

ABSENT WITH LEAVE: 005

Boykins                      Burcham                      Green 73                      Luetkenhaus                      Richardson

VACANCIES: 001

**HCR 34**, relating to approval of lease, was taken up by Representative Riback Wilson (25).

Representative Riback Wilson (25) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Concurrent Resolution No. 34, as it appears in the House Journal for Thursday, April 11, 2002, Page 1080, in the first “whereas” clause, by deleting the word “owns” and inserting in lieu thereof the word “**own**”.

On motion of Representative Riback Wilson (25), **House Amendment No. 1** was adopted.

On motion of Representative Riback Wilson (25), **HCR 34, as amended**, was read the third time and passed by the following vote:

AYES: 127

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Copenhaver	Curls	Daus	Davis
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Surface	Thompson	Townley	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 030

Byrd	Cooper	Crawford	Crowell	Cunningham
Dempsey	Enz	Green 15	Green 73	Hanaway
Henderson	Hendrickson	Hohulin	Hosmer	Hunter



Jetton	Kelly 27	Linton	Luetkenhaus	Moore
Murphy	Naeger	Phillips	Purgason	Ridgeway
Roark	Smith	St. Onge	Treadway	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Boykins	Burcham	Crump	Lograsso
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VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCR 28**, relating to a joint committee on utility regulation and infrastructure investment, was taken up by Representative Willoughby.

Representative Willoughby offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Concurrent Resolution No. 28, Page 1, First Resolved Clause, Line 2, by inserting immediately after the word "Joint" the word "**Interim**".

On motion of Representative Willoughby, **House Amendment No. 1** was adopted.

Representative Willoughby offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Concurrent Resolution No. 28, Page 1131 of the Journal of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, Line 33 of said page, by inserting after the word "**process**" the following:

**"Whereas, the utility regulatory process must also continue to assure that all consumers continue to receive safe, reliable service at reasonable rates, especially as energy market behavior and other factors beyond Missouri's control exert more influence on the state's citizens"; and**

Further amend said resolution, Page 1132 of the Journal of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, Lines 3 to 11 of said page, by deleting all of said lines and inserting in lieu thereof the following:

**"Be it further resolved that the committee conduct in-depth studies and make appropriate recommendations concerning: how the utility regulatory process and the results thereof in Missouri in regard to electric, natural gas, water, sewer, and heating utility companies compare to the utility regulatory process and the results thereof in other states; and how the utility regulatory process in Missouri in regard to electric, natural gas, water, sewer, and heating utility companies can, or should, be modernized to be more efficient and effective, ensure sustained investment in utility infrastructure, maintain or improve service safety and reliability, continue to provide reasonably priced utility services, and promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies; and"**

On motion of Representative Willoughby, **House Amendment No. 2** was adopted.

On motion of Representative Willoughby, **HCR 28, as amended**, was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Hegeman	Henderson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Murphy	Richardson	Roark
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PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 011

Berkstresser	Boykins	Burcham	Franklin	Green 15
Haywood	Hickey	Lograsso	Long	Monaco
Williams				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Gambaro assumed the Chair.

**HCR 13**, relating to TANF reauthorization, was taken up by Representative Bowman.

On motion of Representative Bowman, **HCR 13** was read the third time and passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jones
Kelly 144	Kelly 27	Kelly 36	King	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 002

Behnen Purgason

ABSENT WITH LEAVE: 020

Baker	Ballard	Bartelsmeyer	Berkstresser	Boykins
Burcham	Crump	Dolan	Franklin	Graham
Green 15	Hampton	Jolly	Kelley 47	Koller
Lawson	Legan	Lograsso	Monaco	Moore

VACANCIES: 001

Representative Gambaro declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**PERFECTION OF HOUSE JOINT RESOLUTION**

**HJR 28**, relating to qualifications of legislators, was taken up by Representative Villa.

Representative Portwood offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Joint Resolution No. 28, Page 1, Section 4, Line 2, by inserting after the words “qualified voter” the following: “**for two years**”; and

Further amend Section 6, Line 2, by inserting after the words “voter of the state” the following: “**for three years**”.

On motion of Representative Portwood, **House Amendment No. 1** was adopted.

On motion of Representative Villa, **HJR 28, as amended**, was ordered perfected and printed.

**MOTION**

The motion to reconsider the vote by which **HB 1869** was third read and defeated was taken up.

The motion was laid over.

**PERFECTION OF HOUSE JOINT RESOLUTION**

**HCS HJR 51**, relating to fishing and hunting, was taken up by Representative Whorton.

Representative Crump offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 51, Page 1, Section 23(a), Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following: “**be preserved.**”.

On motion of Representative Crump, **House Amendment No. 1** was adopted.

Representative Purgason offered **House Amendment No. 2**.

Representative Britt assumed the Chair.

**House Amendment No. 2** was withdrawn.

On motion of Representative Whorton, **HCS HJR 51, as amended**, was adopted.

On motion of Representative Whorton, **HCS HJR 51, as amended**, was ordered perfected and printed.

On motion of Representative Crump, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Taylor Lueddecke and Patricia Lueddecke.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1376	-	Representative Griesheimer
House Resolution No. 1377	-	Representative Portwood
House Resolution No. 1378	-	Representative Bray
House Resolution No. 1379	-	Representative Kelly (36)
House Resolution No. 1380	-	Representatives Bearden and Holt
House Resolution No. 1381	-	Representative Bartle
House Resolution No. 1382	-	Representative Barry
House Resolution No. 1383		
and		
House Resolution No. 1384	-	Representative Marble
House Resolution No. 1385	-	Representative Hunter
House Resolution No. 1386		
through		
House Resolution No. 1388	-	Representative Berkstresser
House Resolution No. 1389	-	Representative Wagner
House Resolution No. 1390		
through		
House Resolution No. 1393	-	Representative Luetkemeyer
House Resolution No. 1394		
and		
House Resolution No. 1395	-	Representative Crowell
House Resolution No. 1396		
and		
House Resolution No. 1397	-	Representative Barry, et al
House Resolution No. 1398	-	Representative Barry
House Resolution No. 1399	-	Representative Thompson

### **PERFECTION OF HOUSE BILLS**

**HB 1726, with House Amendment No. 1, pending**, relating to bullying in public schools, was taken up by Representative Walton.

Representative Reid offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1*

*to*

*House Amendment No. 1*

AMEND House Amendment No. 1 to House Bill No. 1726, Page 1, Section 160.730, Line 12, by inserting after the word “urban” the following “**or metropolitan**”; and

Further amend said amendment and section, Page 2, Line 9, by deleting said line and inserting in its place the following:

**“major disciplinary rules which record of the violation becomes part of the student’s permanent school district record, other than suspension”;** and

Further amend said amendment and section, Page 3, Line 12, by inserting after the word “**fund.**” the following:

**“This act is subject to appropriation and shall not take effect unless the general assembly appropriates moneys in advance to fund said section.”.**

On motion of Representative Reid, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Gambaro, **House Amendment No. 1, as amended**, was adopted.

Representative Dempsey offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Bill No. 1726, Page 6, Section 160.261, Line 170, by inserting after the word “**bullying**” the following: “**and tattling**”; and

Further amend said section by inserting on Line 174 after the word “**events**” the following:

**“Tattling shall mean a student informing on another student by written or verbal expression which is intended to get a student in trouble with the teacher”.**

Representative Dempsey moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Fraser offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Bill No. 1726, Page 1, Section 160.261, Lines 2 and 3, by placing an opening bracket on Line 2 “[“ between the word “discipline” and the comma that follows it; and placing a closing bracket “]” on Line 3 between the word “applied” and the period that follows it; and

Further amend said section, Line 4, by deleting the comma after the first use of the word “policy” and inserting in lieu thereof the word “**and**”; and by placing an opening bracket “[“ immediately in front of the words “, and corporal” and placing a closing bracket “]” after the word “applicable,”; and

Further amend said section, Line 7, by inserting the following after the word “inspection.”:

**“No school district shall include any reference to corporal punishment within its discipline policy, and no corporal punishment shall be administered within any school in this state.”; and**

Further amend said section, Page 4, Line 100, by placing an opening bracket “[“ immediately in front of the word “Spanking,”; and

Further amend said section, Page 6, Line 165, by inserting a closing bracket “]” immediately after the number “10.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Relford raised a point of order that **House Amendment No. 3** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Riback Wilson (25) offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Bill No. 1726, Page 1, Section 160.261, Lines 2 and 3, by placing an opening bracket on Line 2 “[“ between the word “discipline” and the comma that follows it; and placing a closing bracket “]” on Line 3 between the word “applied” and the period that follows it; and

Further amend said section, Line 4, by deleting the comma after the first use of the word “policy” and inserting in lieu thereof the word “**and**”; and by placing an opening bracket “[“ immediately in front of the words “, and corporal” and placing a closing bracket “]” after the word “applicable,”; and

Further amend said section, Page 4, Line 100, by placing an opening bracket “[“ immediately in front of the word “Spanking,”; and

Further amend said section, Page 6, Line 165, by inserting a closing bracket “]” immediately after the number “10.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Riback Wilson (25) moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 018

Baker	Boucher	Bray 84	Campbell	Dolan
Fraser	Gambaro	Harding	Harlan	Johnson 90
Jolly	Monaco	Moore	Murphy	Paone
Van Zandt	Williams	Wilson 25		

NOES: 134

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Britt	Brooks	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Enz
Fares	Farnen	Franklin	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Jones
Kelley 47	Kelly 144	Kelly 27	King	Koller
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 42	Wright	Mr. Speaker	

PRESENT: 001

Copenhaver

ABSENT WITH LEAVE: 009

Burcham	Foley	Hilgemann	Kelly 36	Lawson
Lograsso	Overschmidt	Scheve	Troupe	

VACANCIES: 001

Representative Fraser moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:



AYES: 018

Boucher	Bray 84	Campbell	Daus	Dolan
Fraser	Gambara	Harding	Harlan	Johnson 90
Jolly	Monaco	Moore	Murphy	Paone
Van Zandt	Williams	Wilson 25		

NOES: 133

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Boykins	Britt	Brooks	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Froelker	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Jones
Kelley 47	Kelly 144	Kelly 27	King	Koller
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Walker	Walton	Ward	Whorton	Willoughby
Wilson 42	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Barry 100	Burcham	Hilgemann	Kelly 36
Lawson	Lograsso	Overschmidt	Scheve	Troupe
Wagner				

VACANCIES: 001

Representative Sanders Brooks offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Bill No. 1726, Page 6, Section 160.261, Line 178, by inserting after all of said line the following:

**"Section 1. 1. No employee of any public school or charter school within this state shall perform a strip search, as that term is defined in section 544.193, RSMo, of any student of any such school. For the purposes of this section, the term "employee" shall include all temporary and part-time employees of such public schools and charter schools.**

**2. Any employee of a public school or charter school who violates the provisions of this section shall be immediately suspended without pay, pending an evidentiary hearing when such employee is entitled by statute or contract to such hearing.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gambaro raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Sanders Brooks, **House Amendment No. 4** was adopted.

Representative Merideth offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Bill No. 1726, Page 2, Section 160.261, Line 46 of said page, by placing brackets around the word “or” as follows: “[or]”; and

Further amend said bill, Page 2, Section 160.261, Line 47 of said page, by adding at the end of the line the following:

“or

**(24) Making a terroristic threat, pursuant to section 574.115, RSMo;”; and**

Further amend said bill, Page 4, Section 160.261, Line 99 of said page, by adding after the word “enroll.” the following:

**“The discipline policy may address the issue of notification of students and parents of students concerning credible threats to commit any of the acts enumerated in subsection 2 of this section. School districts may release to students and parents of students a description of the actions taken to address the threat, pending final resolution of the situation by disciplinary or judicial action, as long as the release of such information is consistent with any federal law that may be applicable, including the Family Education and Privacy Rights Act and the Individuals with Disabilities Act.”.**

Representative Clayton assumed the Chair.

On motion of Representative Merideth, **House Amendment No. 5** was adopted.

Representative Mayer offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Bill No. 1726, Page 6, Section 160.261, Line 178, by inserting after all of said line the following:

"167.161. 1. The school board of any district, after notice to parents or others having custodial care and a hearing upon charges preferred, may suspend or expel a pupil for conduct which is prejudicial to good order and discipline in the schools or which tends to impair the morale or good conduct of the pupils. In addition to the authority granted in section 167.171, a school board may authorize, by general rule, the immediate removal of a pupil upon a finding by the principal, superintendent, or school board that the pupil poses a threat of harm to such pupil or others,

as evidenced by the prior conduct of such pupil. Prior disciplinary actions shall not be used as the sole basis for removal, suspension or expulsion of a pupil. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. At the hearing upon any such removal, suspension or expulsion, the board shall consider the evidence and statements that the parties present and may consider records of past disciplinary actions, criminal court records or juvenile court records consistent with other provisions of the law, or the actions of the pupil which would constitute a criminal offense. The board may provide by general rule not inconsistent with this section for the procedure and conduct of such hearings. After meeting with the superintendent or his designee to discuss the expulsion, the parent, custodian or the student, if at least eighteen years of age, may, in writing, waive any right to a hearing before the board of education.

2. The school board of any district, after notice to parents or others having custodial care and a hearing upon the matter, may suspend a pupil upon a finding that [the pupil has been charged, convicted or pled guilty in a court of general jurisdiction for the commission of a]:

- (1) **Such pupil has been convicted of a felony criminal violation of state or federal law; or**
- (2) **An indictment or information has been filed alleging that the pupil has committed a felony criminal violation of state or federal law to which there has been no final judgment; or**
- (3) **A petition has been filed pursuant to section 211.091, RSMo, alleging that the pupil has committed an act which if committed by an adult would be a felony criminal violation of state or federal law to which there has been no final judgment; or**
- (4) **The pupil has been adjudicated to have committed an act which if committed by an adult would be a felony criminal violation of state or federal law.** At a hearing required by this subsection, the board shall consider statements that the parties present. The board may provide for the procedure and conduct of such hearings.

3. The school board shall make a good-faith effort to have the parents or others having custodial care present at any such hearing. Notwithstanding any other provision of law to the contrary, student discipline hearings or proceedings related to the rights of students to attend school or to receive academic credit shall not be required to comply with the requirements applicable to contested case hearings as provided in chapter 536, RSMo, provided that appropriate due process procedures shall be observed which shall include the right for a trial de novo by the circuit court."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Mayer, **House Amendment No. 6** was adopted.

Representative Gaskill offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Bill No. 1726, Page 6, Section 160.261, Line 178, by adding after all of said line:

**"12. School districts shall consider the inclusion of character education as part of an age-appropriate curriculum if the district board determines that character education would have a positive effect on a discipline in any or all of its schools. The department of elementary and secondary education shall provide technical assistance to school districts seeking grant funds to implement a character education program.";** and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gaskill, **House Amendment No. 7** was adopted.

On motion of Representative Walton, **HB 1726, as amended**, was ordered perfected and printed.

**HCS HB 1717**, relating to certificate of need, was taken up by Representative Foley.

Speaker Pro Tem Abel resumed the Chair.

Representative Britt offered **House Amendment No. 1**.

Representative Foley raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Richardson appealed the ruling of the Chair.

The ruling of the Chair was sustained by the following vote:

AYES: 091

Abel	Baker	Barnitz	Barry 100	Bearden
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Clayton	Cooper	Copenhaver
Crump	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 90
Jolly	Jones	Kelly 27	Koller	Lawson
Liese	Lowe	Luetkenhaus	Marsh	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Ostmann	Paone	Ransdall	Reid	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Van Zandt	Villa	Walker	Walton
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 063

Ballard	Barnett	Bartelsmeyer	Bartle	Behnen
Black	Boatright	Byrd	Champion	Cierpiot
Crawford	Crowell	Cunningham	Enz	Froelker
Gaskill	Griesheimer	Hanaway	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hunter	Jetton
Kelley 47	Kelly 144	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 002

Burton	Johnson 61
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ABSENT WITH LEAVE: 006

Burcham  
Ward

Kelly 36

Overschmidt

Troupe

Wagner

VACANCIES: 001

Representative Seigfreid offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1717, Page 4, Section 197.310, Lines 25 and 26, by deleting said lines and replacing with the following:

**“8. No member of the Missouri health facilities review committee may accept a political donation from any applicant who applies for a certificate of need or review certification for a period of one year after the granting of the certificate of need or review certification or six months prior to requesting a certificate of need or review certification. If a member accepts a donation six months prior to the request for a certificate of need or review certification, it must be returned within ten business days of the filing request made by the applicant.”.**

On motion of Representative Seigfreid, **House Amendment No. 1** was adopted.

Representative Monaco offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1717, Page 15, Section 197.390, Line 10, by adding immediately following said line the following:

**“(3) The development or offering of a new institutional acute care service or first-time service to be located in a metropolitan statistical area within fifty miles of a contiguous state that does not have certificate of need laws that regulate the service.”**

Representative Ridgeway offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1717, Page 15, Section 197.390, Line 10, by inserting immediately following said line the following:

**“(3) The development or offering of a new institutional acute care service or first-time service to be located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, a county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants, or a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Ridgeway moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 030

Bartelsmeyer	Bartle	Boucher	Campbell	Cierpiot
Crowell	Enz	Hohulin	Holand	Jetton
Kelley 47	Kelly 144	King	Linton	Luetkemeyer
Mayer	Monaco	Moore	Myers	Nordwald
Phillips	Rector	Reinhart	Richardson	Ridgeway
Roark	Schwab	Shoemaker	Townley	Wright

NOES: 117

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Bowman	Boykins
Britt	Brooks	Burton	Byrd	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Koller	Lawson	Legan	Liese
Lowe	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Murphy
Naeger	O'Connor	O'Toole	Ostmann	Paone
Portwood	Quinn	Ransdall	Relford	Reynolds
Rizzo	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Villa	Vogel	Walker
Walton	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 015

Ballard	Bray 84	Burcham	Griesheimer	Harlan
Kelly 36	Lograsso	Long	Overschmidt	Purgason
Reid	Troupe	Van Zandt	Wagner	Ward

VACANCIES: 001

**House Amendment No. 2** was withdrawn.

Representative Holand offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1717, Page 12, Section 197.378, Line 16, by deleting the words “**or an additional piece of equipment**”; and

Further amend said bill, Page 13, Section 197.384, Line 17, by deleting the words “**or an additional piece of equipment**”.

Representative Holand moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Bartelsmeyer	Bartle	Black	Boatright	Byrd
Campbell	Cierpiot	Crowell	Cunningham	Enz
Froelker	Gaskill	Henderson	Hendrickson	Hohulin
Holand	Jetton	Kelly 144	King	Legan
Linton	Long	Luetkemeyer	May 149	Mayer
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	Phillips	Reinhart	Richardson
Ridgeway	Roark	Schwab	Scott	Shields
Shoemaker	Townley	Whorton	Wright	

NOES: 104

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burton	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crump	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Fraser	Gambara	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Koller	Lawson
Liese	Lowe	Luetkenhaus	Marble	Marsh
Mays 50	McKenna	Murphy	O'Connor	O'Toole
Ostmann	Paone	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Rizzo	Robirds	Ross	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Villa
Vogel	Walker	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 014

Ballard	Boykins	Burcham	Franklin	Griesheimer
Harlan	Hickey	Kelly 36	Lograsso	Overschmidt
Scheve	Troupe	Van Zandt	Wagner	

VACANCIES: 001

Representative Jetton offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1717, Page 10, Section 197.375, Line 113, by adding immediately following said line the following:

**“(19) “Review threshold”, three million dollars, except that beginning January 1, 2004, the review threshold shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United State Department of Commerce. The revised threshold shall be calculated by the committee, which shall furnish that revised threshold to the secretary of state, who shall publish such revised threshold in the Missouri Register by March first of each year.”; and**

Further amend said bill, Page 15, Section 197.390, Line 10, by deleting the period on said line and inserting in lieu thereof the following:

**“; (3) The development of any new institutional acute care services or first-time services costing less than the review threshold, except that any person who wishes to develop a new institutional acute care service or first-time service costing less than the review threshold shall notify the committee in writing advising the committee of the nature of the proposed service.”.**

Representative Richardson offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1717, Page 10, Section 197.375, Line 113, by adding immediately following said line the following:

**“(19) “Review threshold”, two million dollars, except that beginning January 1, 2004, the review threshold shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United State Department of Commerce. The revised threshold shall be calculated by the committee, which shall furnish that revised threshold to the secretary of state, who shall publish such revised threshold in the Missouri Register by March first of each year.”; and**

Further amend said bill, Page 15, Section 197.390, Line 10, by deleting the period on said line and by inserting in lieu thereof the following:

**“; (3) The development of any new institutional acute care services or first-time services costing less than the review threshold, except that any person who wishes to develop a new institutional acute care service or first-time service costing less than the review threshold shall notify the committee in writing advising the committee of the nature of the proposed service.”.**

Representative Richardson moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:



AYES: 037

Ballard	Bartelsmeyer	Bartle	Black	Cierpiot
Crowell	Cunningham	Enz	Froelker	Gaskill
Hohulin	Jetton	Kelly 144	King	Legan
Liese	Linton	Lograsso	Marble	Mayer
Miller	Moore	Myers	Naeger	Nordwald
Phillips	Purgason	Reinhart	Richardson	Ridgeway
Roark	Schwab	Scott	Shoemaker	Smith
Townley	Wright			

NOES: 105

Abel	Baker	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crump	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Lawson	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mays 50	McKenna
Merideth	Murphy	O'Toole	Ostmann	Paone
Portwood	Quinn	Ransdall	Rector	Reid
Relford	Reynolds	Rizzo	Robirds	Secrest
Seigfreid	Selby	Shields	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Whorton	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 001

Shelton

ABSENT WITH LEAVE: 019

Barnett	Burcham	Campbell	Griesheimer	Harlan
Hickey	Hosmer	Kelly 36	Koller	Long
Lowe	Monaco	O'Connor	Overschmidt	Ross
Scheve	Van Zandt	Ward	Williams	

VACANCIES: 001

Representative Jetton moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Foley, **HCS HB 1717, as amended**, was adopted.

On motion of Representative Foley, **HCS HB 1717, as amended**, was ordered perfected and printed.

Speaker Kreider resumed the Chair.

### MOTION

The motion to reconsider the vote by which **HB 1869** was third read and defeated was again taken up.

The motion to reconsider was adopted by the following vote:

AYES: 105

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton
Cooper	Crawford	Crowell	Crump	Cunningham
Davis	Dempsey	Dolan	Enz	Fares
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Hagan-Harrell	Hanaway	Harding	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holt	Hoppe
Hunter	Jetton	Johnson 90	Jolly	Kelly 144
Kelly 27	King	Liese	Linton	Lograsso
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
McKenna	Miller	Monaco	Moore	Myers
Naeger	O'Connor	Ostmann	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Scheve	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	Skaggs
St. Onge	Townley	Treadway	Wagner	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 045

Baker	Barnitz	Bland	Bowman	Boykins
Bray 84	Brooks	Campbell	Copenhaver	Curls
Daus	Farnen	Green 73	Hampton	Haywood
Hickey	Hilgemann	Holand	Hollingsworth	Hosmer
Johnson 61	Jones	Kelley 47	Legan	Lowe
Marsh	Mays 50	Merideth	Murphy	Nordwald
O'Toole	Paone	Relford	Richardson	Schwab
Shelton	Smith	Surface	Thompson	Troupe
Villa	Vogel	Walton	Williams	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 012

Britt	Burcham	Griesheimer	Harlan	Kelly 36
Koller	Lawson	Long	Overschmidt	Ross
Van Zandt	Walker			

VACANCIES: 001

**HB 1869**, relating to peace officer residency requirements, was taken up by Representative Barry.

On motion of Representative Barry, **HB 1869** was read the third time and passed by the following vote:

AYES: 090

Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Burton	Byrd	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Dempsey	Dolan	Enz
Fares	Fraser	Froelker	Gambaro	Gaskill
Gratz	Hagan-Harrell	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holt
Hunter	Jetton	Johnson 90	Kelley 47	Kelly 144
Kelly 27	Lawson	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	McKenna	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Reynolds	Ridgeway	Roark	Scott
Secrest	Seigfreid	Selby	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Townley	Treadway
Wagner	Ward	Whorton	Wright	Mr. Speaker

NOES: 061

Baker	Barnitz	Behnen	Bland	Bowman
Boykins	Bray 84	Brooks	Campbell	Carnahan
Copenhaver	Curls	Daus	Davis	Farnen
Franklin	George	Green 15	Green 73	Hampton
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Hoppe	Hosmer	Johnson 61	Jolly	Jones
King	Legan	Lowe	Marsh	Mays 50
Merideth	Murphy	O'Toole	Paone	Quinn
Ransdall	Relford	Richardson	Rizzo	Robirds
Scheve	Schwab	Shelton	Smith	Surface
Thompson	Troupe	Van Zandt	Villa	Vogel
Walker	Walton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 003

Abel	Foley	Graham
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ABSENT WITH LEAVE: 008

Britt	Burcham	Griesheimer	Harlan	Kelly 36
Koller	Overschmidt	Ross		

VACANCIES: 001

Speaker Kreider declared the bill passed.

### **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 689** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 37** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 1460** - Fiscal Review and Government Reform (Fiscal Note)

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SCS SB 884** - Banks and Financial Institutions

### **COMMITTEE REPORTS**

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 2097**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1231**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1916**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Labor**, Chairman George reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1318**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### **INTRODUCTION OF HOUSE BILL - APPROPRIATIONS**

The following House Bill was read the first time and copies ordered printed:

**HB 1121**, introduced by Representative Green (73), to appropriate money for expenses, grants, refunds, distributions and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds designated herein.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 958 & 657**, entitled:

An act to amend chapter 1, RSMo, by adding thereto four new sections relating to the prohibition of interference with the free exercise of religion and the rights of the second amendment of the United States Constitution and article I, section 23 of the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1005**, entitled:

An act to repeal sections 288.040 and 288.050, RSMo, relating to employment security, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 18, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-third Day, Tuesday, April 16, 2002, pages 1120 and 1121, roll call, by showing Representatives Behnen, Champion, Crowell, Enz, Hosmer, King and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1124 and 1125, roll call, by showing Representatives Bartle and Wright voting "no" rather than "absent with leave".

Pages 1125 and 1126, roll call, by showing Representatives Bartle and Wright voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, April 18, 2002, 8:15 a.m. Hearing Room 6.

Executive Session to be held on: HB 1133, HB 1303, HB 1947, HB 1975, HB 2086

### **COMMERCE AND ECONOMIC DEVELOPMENT**

Thursday, April 18, 2002. Side gallery upon adjournment.

Executive Session.

### **EDUCATION - ELEMENTARY AND SECONDARY**

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 3.

Public Hearing to be held on: SB 718, SB 722, SB 756, SB 860

### **ELECTIONS**

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 5.

Public Hearing to be held on: SB 675

### **ENVIRONMENT AND ENERGY**

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 7.

Executive Session.

Public Hearing to be held on: SB 821

### **FISCAL REVIEW AND GOVERNMENT REFORM**

Thursday, April 18, 2002, 8:30 a.m. Hearing Room 1.

Fiscal Review.

Executive Session to be held on: HB 1654

### **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Thursday, April 18, 2002. Senate Lounge upon noon adjournment.

Rule Number 19 CSR 30-82.010,.020,.070 30-83.010. AMENDED.

### **JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT**

Wednesday, April 24, 2002, 8:30 a.m. Hearing Room 5.

U.S. Custom House & Post Office Building in St. Louis.

Master Plan for development of JCCC prison site.

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, April 30, 2002, 1:00 p.m. Hearing Room 3.

Fire Protection District Special Review.

**LABOR**

Thursday, April 18, 2002, 9:30 a.m. Side gallery.  
Executive Session to be held on: HB 2173

**TRANSPORTATION**

Monday, April 22, 2002, 1:00 p.m. Hearing Room 6.  
Executive Session.

**HOUSE CALENDAR**

FIFTY-FIFTH DAY, THURSDAY, APRIL 18, 2002

**HOUSE BILL FOR SECOND READING - APPROPRIATIONS**

HB 1121

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 47 - Willoughby

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1729, 1589 & 1435 - Barnitz
- 2 HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Campbell
- 3 HCS HB 1695 - Selby
- 4 HB 1090 - Reynolds
- 5 HB 1508 - Koller
- 6 HCS HB 1936 - Berkowitz
- 7 HB 1350 - Liese
- 8 HCS HB 1656 - Wright
- 9 HCS HB 1216 - Johnson (61)
- 10 HB 1627 - Kreider
- 11 HCS HB 1886 - Rizzo
- 12 HB 1307 - Williams
- 13 HB 1988 - Kelly (144)
- 14 HCS HB 1868 - Barry
- 15 HB 2160 - Britt
- 16 HCS HB 1650 - Hoppe
- 17 HB 1916 - Franklin
- 18 HCS HB 1231 - Harding
- 19 HB 2097 - Copenhaver
- 20 HCS HB 1318 - George

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1306, E.C. - Williams
- 3 HS HCS HB 1654 & 1156, (Fiscal Review 4-15-02) - Hosmer
- 4 HS HCS HB 1756 - Reid
- 5 HB 1058 - Haywood
- 6 HS HCS HB 1502 & 1821 - Luetkenhaus
- 7 HB 1460, (Fiscal Review 4-17-02) - Hilgemann
- 8 HCS HB 1509 & 1510 - Curls
- 9 HCS HB 1888 - Barnitz
- 10 HS HCS HB 1962 - Monaco
- 11 HS HCS HB 1527 - Graham
- 12 HCS HB 1143 - Rizzo
- 13 HCS HB 1809 - Sanders Brooks

**HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL**

- 1 HB 1872 - Hosmer
- 2 HB 2155 - Willoughby

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 958 & 657
- 2 SB 1005

**SENATE BILLS FOR THIRD READING - CONSENT**

(April 15, 2002)

SCS SB 988 - Hartzler



(April 16, 2002)

- 1 HCS SCS SB 645 - Relford
- 2 HCS SB 992 - Rizzo
- 3 SB 1124 - Gambaro
- 4 SCS SB 804 - Sanders Brooks
- 5 SB 639 - Williams
- 6 HCS SCS SB 776 - Harlan
- 7 HCS SCS SB 1113 - Farnen
- 8 SCS SB 997 - Willoughby
- 9 HCS SB 1012 - Lawson
- 10 HCS SB 795 - Treadway
- 11 HCS SCS SB 1086 & 1126 - Hoppe
- 12 HCS SB 786 - Campbell
- 13 SCS SB 1132 - Daus
- 14 HCS SB 1244 - Barry
- 15 HCS SB 961 - Curls
- 16 SB 708 - Lawson
- 17 SB 701 - Lowe
- 18 SB 742 - Monaco
- 19 HCS SB 749 - Monaco
- 20 HCS SB 1213 - Hosmer
- 21 HCS SCS SB 1210 - Lawson
- 22 SB 1247 - Willoughby
- 23 SB 1001 - Crump
- 24 HCS SB 1078 - Hoppe
- 25 SB 941 - Mays (50)
- 26 HCS SB 695 - Barry
- 27 HCS SB 962 - Jolly
- 28 HCS SB 1119 - Kelly (27)
- 29 SB 1217 - Boykins
- 30 SCS SB 967 - Hagan-Harrell
- 31 SB 1243 - Kelly (27)
- 32 HCS SCS SB 1212 - Ransdall
- 33 SB 1041, HCAs 1, 2 & 3 - Gratz
- 34 SB 1168, HCA 1 - Gratz
- 35 SB 974 - Koller
- 36 HCS SB 1251 - Monaco
- 37 SCS SB 1163 - Ransdall
- 38 SB 720 - Hoppe
- 39 HCS SB 714 - Barry
- 40 SCS SB 729 - Luetkenhaus
- 41 SB 891 - Rizzo
- 42 HCS SB 932 - Smith
- 43 SCS SB 1015 - Relford

- 44 SCS SB 1071 - Lawson
- 45 HCS SB 1094 - Green (73)
- 46 SB 1048 - Reinhart
- 47 SB 1028 - Luetkemeyer
- 48 SB 812 - Holand
- 49 SB 726 - Gaskill
- 50 SB 865 - Myers
- 51 SCS SB 918 - Linton
- 52 HCS SB 1102 - Hosmer
- 53 SB 1109 - Portwood
- 54 HCS SCS SB 947 - Farnen
- 55 SCS SB 1207 - Holand
- 56 SCS SB 1151 - Myers
- 57 HCS SCS SB 980 - Hunter
- 58 SCS SB 874 - Franklin
- 59 HCS SB 1186 - Hoppe
- 60 SCS SB 1182 - Barry
- 61 HCS SCS SB 1202, E.C. - Koller
- 62 HCS SB 758 - Hosmer
- 63 SCS SB 1024 - Holand
- 64 SB 976 - Portwood
- 65 SS SCS SB 959, E.C. - Rizzo
- 66 SB 644 - Davis
- 67 SCS SB 1241, 1253 & 1189 - Boykins
- 68 SCS SB 966 - Gambaro
- 69 SB 798 - Ross
- 70 SCS SB 745 - Kelly (144)
- 71 HCS SB 950 - Griesheimer
- 72 SB 1199, HCA 1 - Bearden
- 73 HCS SCS SB 960 - O'Connor
- 74 HCS SCS SB 1093 - Hilgemann
- 75 SB 831 - Gambaro
- 76 HCS SCS SB 957 - Reid
- 77 SCS SB 656 - Luetkenhaus
- 78 HCS SCS SB 737 - Berkowitz

#### **SENATE BILL FOR THIRD READING**

SB 1220 - O'Toole

#### **HOUSE RESOLUTIONS**

- 1 HR 341, (3-7-02, Page 518) - Ladd Baker
- 2 HR 281, (4-9-02, Pages 1021 & 1022) - Hampton

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTY-FIFTH DAY, THURSDAY, APRIL 18, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Almighty God, we seek Your guidance at the beginning of this day. Make plan, we pray, the first steps of the day. Each man and woman of this House has enough:

Enough to do, enough meetings to attend,  
enough on the calendar, enough promises to keep,  
enough to worry about...

Bless them this day with enough patience, enough wisdom, enough confidence in their best ideas, enough compassion and enough faith in You their God to guide and sustain them. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Allison Wolz, Josh Meyer, Farrah Malik, Nathan Berry, T.J. Gardner, Gabe Gardner, Stefannie Cundiff, Aaron Porter, Jon Hall, Brandy Hurt, Aaron Coy, Morgan Wall, Adam Jackson, Savannah Jackson and Gage Jarrett.

The Journal of the fifty-fourth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1400	-	Representative Franklin
House Resolution No. 1401	-	Representative Selby
House Resolution No. 1402	-	Representative Gratz
House Resolution No. 1403	-	Representative Hohulin
House Resolution No. 1404	-	Representative Kelly (27)
House Resolution No. 1405	-	Representative Kreider
House Resolution No. 1406	-	Representative Boatright
House Resolution No. 1407	-	Representative Naeger
House Resolution No. 1408	-	Representative Walton
House Resolution No. 1409	-	Representative Berkstresser
House Resolution No. 1410	-	Representative Jolly
House Resolution No. 1411	-	Representative Kreider
House Resolution No. 1412	-	Representatives Bearden and Holt
House Resolution No. 1413	-	Representative Williams

House Resolution No. 1414 - Representative Crowell  
House Resolution No. 1415 - Representative Kelly (144)  
House Resolution No. 1416 - Representative Monaco  
House Resolution No. 1417 - Representative Bowman  
House Resolution No. 1418 - Representative Troupe

## **SECOND READING OF HOUSE BILL - APPROPRIATIONS**

**HB 1121** was read the second time.

## **SECOND READING OF SENATE BILLS**

**SCS SBs 958 & 657** and **SB 1005** were read the second time.

## **COMMITTEE REPORT**

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HBs 1654 & 1156 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 2078, HCS HJR 51, HB 1726, HCS HB 1717** and **HJR 28**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

## **THIRD READING OF HOUSE BILLS**

**HB 1306**, relating to multicultural program and committee, was taken up by Representative Williams.

On motion of Representative Williams, **HB 1306** was read the third time and passed by the following vote:

AYES: 123

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Behnen	Berkowitz	Berkstresser	Bland
Boatright	Bonner	Bowman	Boykins	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen

Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	Koller	Legan
Liese	Long	Lowe	Luetkenhaus	Marble
Marsh	Mays 50	McKenna	Merideth	Moore
Murphy	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Reid	Relford	Reynolds	Richardson	Rizzo
Ross	Scheve	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 028

Ballard	Bartle	Bearden	Byrd	Cooper
Froelker	Griesheimer	Hohulin	Hunter	Kelly 144
King	Linton	Luetkemeyer	May 149	Mayer
Miller	Myers	Nordwald	Purgason	Rector
Ridgeway	Roark	Robirds	Schwab	Shoemaker
St. Onge	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Black	Boucher	Bray 84	Burcham	Gaskill
Hickey	Lawson	Lograsso	Monaco	Naege
Reinhart				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Cierpiot	Clayton	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Henderson
Hendrickson	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly

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Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Koller	Legan	Liese	Long	Lowe
Luetkenhaus	Marble	Marsh	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Quinn	Ransdall	Rector	Reid	Relford
Reynolds	Richardson	Rizzo	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 028

Ballard	Bartle	Berkstresser	Byrd	Cooper
Froelker	Griesheimer	Hegeman	Hohulin	Holand
Hunter	Jetton	King	Linton	Luetkemeyer
May 149	Mayer	Myers	Nordwald	Phillips
Portwood	Purgason	Roark	Robirds	Shoemaker
St. Onge	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Black	Burcham	Lawson	Lograsso	Naeger
Reinhart	Ridgeway			

VACANCIES: 001

**HS HCS HBs 1654 & 1156**, relating to protection of the elderly, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HS HCS HBs 1654 & 1156** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	Long	Lowe

Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Hartzler	Hohulin	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 009

Burcham	Clayton	Hickey	Holand	Lawson
Lograsso	Naeger	O'Connor	Reinhart	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HS HCS HB 1756**, relating to sexually transmitted diseases, was taken up by Representative Reid.

Representative Reid offered **House Perfecting Amendment No. 1**.

*House Perfecting Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1756, Page 5, Section 191.677, Lines 27 and 28, by deleting the following:

**"Violation of the provisions of subdivision (2) and (3) of subsection 1 of this section is a class D felony."**; and

Further amend said bill, Section 191.677, Lines 41 and 42, by deleting all of said lines and inserting in lieu thereof the following:

**"4. The use of condoms is not a defense to a violation of paragraph (a) of subdivision (2) of subsection 1 of this section."**

On motion of Representative Reid, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Reid, **HS HCS HB 1756, as amended**, was read the third time and passed by the following vote:

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AYES: 133

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Burton	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Farnen	Foley	Franklin
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Nordwald	O'Toole	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 014

Bland	Bowman	Bray 84	Campbell	Fares
Fraser	Harding	Harlan	Kelly 27	Scheve
Van Zandt	Whorton	Williams	Wilson 25	

PRESENT: 002

Brooks	Murphy
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ABSENT WITH LEAVE: 013

Boykins	Britt	Burcham	Byrd	Carnahan
Hollingsworth	Johnson 90	Lawson	Lowe	Naeger
O'Connor	Ostmann	Reinhart		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1058**, relating to hate crimes, was taken up by Representative Haywood.

On motion of Representative Haywood, **HB 1058** was read the third time and passed by the following vote:



AYES: 131

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crawford	Crowell	Crump	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Nordwald	O'Toole
Overschmidt	Paone	Phillips	Portwood	Ransdall
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Ross	Scheve	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 023

Ballard	Bearden	Behnen	Boatright	Cooper
Cunningham	Hendrickson	Hohulin	Hunter	Kelly 144
Legan	Linton	Lograsso	Marble	Marsh
Purgason	Quinn	Rector	Roark	Robirds
Schwab	Scott	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 008

Burcham	Cierpiot	Harlan	Lawson	Naeger
O'Connor	Ostmann	Reinhart		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HS HCS HBs 1502 & 1821**, relating to insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HS HCS HBs 1502 & 1821** was read the third time and passed by the following vote:

AYES: 133

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Britt	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Froelker	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	King	Koller
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Miller
Moore	Myers	Nordwald	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 012

Bray 84	Franklin	Fraser	Gambara	Haywood
Johnson 61	Kelly 36	Merideth	Murphy	Scheve
Walton	Williams			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 016

Baker	Bland	Boykins	Burcham	Crump
Green 73	Harlan	Hickey	Lawson	Monaco
Naeger	O'Connor	Reinhart	Seigfreid	Thompson
Troupe				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS HBs 1509 & 1510**, relating to police retirement systems, was taken up by Representative Curls.

Representative Marble made a substitute motion that **HCS HBs 1509 & 1510** be referred to the Committee on Fiscal Review and Government Reform pursuant to Rule 28.

Which motion was denied.

On motion of Representative Curls, **HCS HBs 1509 & 1510** was read the third time and passed by the following vote:

AYES: 112

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Berkowitz	Berkstresser	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Cierpiot	Clayton	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Liese	Lograsso	Lowe	Luetkenhaus	Marsh
May 149	Mays 50	McKenna	Merideth	Monaco
Myers	Nordwald	Ostmann	Overschmidt	Paone
Portwood	Ransdall	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Ross	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 042

Ballard	Bartelsmeyer	Bearden	Behnen	Black
Boatright	Cooper	Crowell	Cunningham	Froelker
Gaskill	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelly 144	Legan	Linton
Long	Luetkemeyer	Marble	Mayer	Miller
Moore	Murphy	O'Toole	Phillips	Purgason
Quinn	Rector	Roark	Robirds	Schwab
Scott	Secrest	Shoemaker	St. Onge	Surface
Townley	Wright			

PRESENT: 001

Champion

ABSENT WITH LEAVE: 007

Burcham	Harlan	Lawson	Naeger	O'Connor
Reinhart	Thompson			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Britt assumed the Chair.

**HCS HB 1888**, relating to pawnshops, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **HCS HB 1888** was read the third time and passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Burcham	Franklin	Green 73	Hampton
Harlan	Hickey	Lawson	Naeger	Reinhart
Thompson				

VACANCIES: 001

Representative Britt declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**HS HCS HB 1527**, relating to university governing boards, was taken up by Representative Graham.

On motion of Representative Graham, **HS HCS HB 1527** was read the third time and passed by the following vote:

AYES: 089

Abel	Baker	Barnitz	Barry 100	Bartle
Behnen	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Bray 84	Britt	Campbell
Carnahan	Champion	Clayton	Cooper	Crowell
Crump	Curls	Daus	Davis	Dempsey
Dolan	Farnen	Foley	Fraser	Gambaro
George	Graham	Gratz	Green 15	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hickey
Hilgemann	Holt	Hoppe	Hosmer	Jetton
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
King	Koller	Liese	Lowe	Luetkenhaus
McKenna	Merideth	Monaco	Myers	O'Connor
O'Toole	Overschmidt	Paone	Portwood	Ransdall
Reid	Relford	Reynolds	Rizzo	Scheve
Secrest	Selby	Shelton	Shields	Shoemaker
Shoemyer	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Ward	Whorton
Williams	Willoughby	Wilson 25	Mr. Speaker	

NOES: 068

Ballard	Barnett	Bartelsmeyer	Bearden	Berkstresser
Boatright	Boykins	Burton	Byrd	Cierpiot
Copenhaver	Crawford	Cunningham	Enz	Fares
Franklin	Froelker	Gaskill	Griesheimer	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hollingsworth	Hunter	Johnson 61	Kelley 47
Kelly 144	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	Miller	Moore	Murphy	Naeger
Nordwald	Ostmann	Phillips	Purgason	Quinn
Rector	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Seigfreid	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Walton	Wilson 42	Wright		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 004

Burcham	Green 73	Lawson	Reinhart
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VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS HB 1809**, relating to school board elections, was taken up by Representative Sanders Brooks.

On motion of Representative Sanders Brooks, **HCS HB 1809** was read the third time and passed by the following vote:

AYES: 094

Abel	Baker	Barry 100	Berkowitz	Berkstresser
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Byrd	Campbell
Carnahan	Champion	Clayton	Copenhaver	Crawford
Crump	Curls	Daus	Davis	Fares
Farnen	Foley	Fraser	Gambaro	George
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	Koller	Lawson	Liese
Luetkenhaus	Marsh	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Reid	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 059

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Boatright	Burton
Cierpiot	Cooper	Crowell	Cunningham	Dempsey
Dolan	Enz	Franklin	Froelker	Gaskill
Griesheimer	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelly 144	King
Legan	Lograsso	Luetkemeyer	Marble	May 149
Mayer	Miller	Moore	Murphy	Myers
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Richardson	Ridgeway	Roark
Schwab	Scott	Secrest	Shoemaker	St. Onge
Surface	Townley	Whorton	Wright	

PRESENT: 001

Graham

ABSENT WITH LEAVE: 008

Burcham	Harlan	Linton	Long	Lowe
Mays 50	Naeger	Reinhart		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

## PERFECTION OF HOUSE BILLS

**HCS HB 1695**, relating to health insurance, was taken up by Representative Selby.

Representative Barry offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1695 by inserting at the appropriate location the following section:

**"376.1253. 1. Each physician attending any patient with a newly diagnosed cancer shall provide the patient with a timely referral to an appropriate specialist within the provider network for a second opinion regarding the treatment of the patient's type of cancer. If no appropriate specialist is in the provider network, a referral shall be made to a nonnetwork specialist in accordance with this section.**

**2. Each health carrier or health benefit plan, as defined in section 376.1350, that offers or issues health benefit plans which are delivered, issued for delivery, continued or renewed in this state on or after January 1, 2003, shall provide coverage for a second opinion rendered by an appropriate medical specialist when a patient with a newly diagnosed cancer is referred to such specialist by his or her attending physician. Such coverage shall be subject to the same deductible and coinsurance conditions applied to other specialist referrals and all other terms and conditions applicable to other benefits.**

**3. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Amendment No. 1** was adopted.

Representative Monaco offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1695 by inserting at the appropriate location the following section:

**"376.429. 1. All health benefit plans, as defined in section 376.1350, that are delivered, issued for delivery, continued or renewed on or after August 28, 2002, and providing coverage to any resident of this state shall provide coverage for routine patient care costs as defined in subsection 7 of this section incurred as the result of phase II, III, or IV of a clinical trial that is approved by an entity listed in subsection 4 of this section and is undertaken for the purposes of the prevention, early detection, or treatment of cancer.**

**2. In the case of treatment under a clinical trial, the treating facility and personnel must have the expertise and training to provide the treatment and treat a sufficient volume of patients. There must be equal to or superior, noninvestigational treatment alternatives and the available clinical or preclinical data must provide a reasonable expectation that the treatment will be superior to the noninvestigational alternatives.**

**3. Coverage required by this section shall include coverage for routine patient care costs incurred for drugs and devices that have been approved for sale by the Food and Drug Administration (FDA), regardless of whether approved by the FDA for use in treating the patient's particular condition, including coverage for reasonable and medically necessary services needed to administer the drug or use the device under evaluation in the clinical trial.**

**4. Subsections 1 and 2 of this section requiring coverage for routine patient care costs shall apply to**

clinical trials that are approved or funded by one of the following entities:

- (1) One of the National Institutes of Health (NIH);
- (2) An NIH Cooperative Group or Center as defined in subsection 7 of this section;
- (3) The FDA in the form of an investigational new drug application;
- (4) The federal Departments of Veterans' Affairs or Defense;
- (5) An institutional review board in this state that has an appropriate assurance approved by the Department of Health and Human Services assuring compliance with and implementation of regulations for the protection of human subjects (45 CFR 46); or
- (6) A qualified research entity that meets the criteria for NIH Center support grant eligibility.

5. An entity seeking coverage for treatment, prevention, or early detection in a clinical trial approved by an institutional review board under subdivision (5) of subsection 4 of this section shall maintain and post electronically a list of the clinical trials meeting the requirements of subsections 2 and 3 of this section. This list shall include: the phase for which the clinical trial is approved; the entity approving the trial; whether the trial is for the treatment of cancer or other serious or life threatening disease, and if not cancer, the particular disease; and the number of participants in the trial. If the electronic posting is not practical, the entity seeking coverage shall periodically provide payers and providers in the state with a written list of trials providing the information required in this section.

6. As used in this section, the following terms shall mean:

(1) "Cooperative group", a formal network of facilities that collaborate on research projects and have an established NIH-approved Peer Review Program operating within the group, including the NCI Clinical Cooperative Group and the NCI Community Clinical Oncology Program;

(2) "Multiple project assurance contract", a contract between an institution and the federal Department of Health and Human Services (DHHS) that defines the relationship of the institution to the DHHS and sets out the responsibilities of the institution and the procedures that will be used by the institution to protect human subjects;

(3) "Routine patient care costs", shall include coverage for reasonable and medically necessary services needed to administer the drug or device under evaluation in the clinical trial. Routine patient care costs include all items and services that are otherwise generally available to a qualified individual that are provided in the clinical trial except:

- (a) The investigational item or service itself;
- (b) Items and services provided solely to satisfy data collection and analysis needs and that are not used in the direct clinical management of the patient; and
- (c) Items and services customarily provided by the research sponsors free of charge for any enrollee in the trial.

7. For the purpose of this section, providers participating in clinical trials shall obtain a patient's informed consent for participation on the clinical trial in a manner that is consistent with current legal and ethical standards. Such documents shall be made available to the health insurer upon request.

8. The provisions of this section shall not apply to a policy, plan or contract paid under Title XVIII or Title XIX of the Social Security Act."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Monaco, **House Amendment No. 2** was adopted.

Representative Graham offered **House Amendment No. 3**.

#### *House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1695 by inserting at the appropriate location the following section:

"376.1221. 1. Every health insurer and health benefit plan, as defined in section 376.1350, offering health benefit plans that are delivered, issued for delivery, continued or renewed after January 1, 2003, shall provide



coverage for hearing aids that are prescribed, fitted, and dispensed by appropriately licensed professionals to dependent children through age nineteen covered under a policy, contract, or plan.

2. The hearing aids covered under this section shall:

(1) Be an electronic wearable device designed to aid or compensate for human hearing loss and any parts, attachments, or accessories, including earmolds;

(2) Be of a design and circuitry to optimize audibility and listening skills in the environment commonly experienced by children; and

(3) Have multiple-band wide dynamic range compression and direct audio input compatibility.

3. The coverage provided by this section shall include coverage for replacement hearing aids for the child at least once every three years.

4. Hearing evaluations, hearing aids, prescriptions, fittings, and consumable supplies shall be reimbursed according to the contracted fee schedule. In the absence of a contracted fee schedule, reimbursement shall be at the usual and customary charges of the licensed professional. A health insurer or health benefit plan subject to this section may limit the benefit payable for hearing aids to one thousand two hundred fifty dollars for each ear with a hearing loss. An insured or enrollee who selects a hearing aid that costs more than the benefit payable pursuant to this section may pay the difference between the price of the hearing aid and the benefit payable without financial or contractual penalty to the provider of the hearing aid.

5. Nothing in this section shall prohibit a health insurer or health benefit plan from providing coverage that is greater than or more favorable to enrollees than the coverage provided by this section.

6. The health care service required by this section shall not be subject to a deductible or co-payment that exceeds twenty percent of the actual covered service costs. No health insurer or health benefit plan subject to this section shall request or require hearing acuity information from or about persons applying for coverage.

7. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance.

8. The director of the department of insurance may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 3** was adopted.

Representative Portwood offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1695 by inserting at the appropriate location the following section:

"34.375. 1. This section shall be known and may be cited as the "Missouri Calcium Initiative".

2. The purchasing agent for any governmental entity that purchases food or beverages to be processed or served in a building or room owned or operated by such governmental entity shall give preference to foods and beverages that:

(1) Contain a higher level of calcium than products of the same type and quality; and

(2) Are equal to or lower in price than products of the same type and quality.

3. Notwithstanding the provisions of subsection 2 of this section to the contrary, if a state institution determines that a high calcium food or beverage that is preferred pursuant to subsection 2 of this section will interfere with the proper treatment and care of a patient of such institution, the purchasing agent shall not be required to purchase the high calcium food or beverage for such patient.

4. The requirements of this section shall be in addition to any requirements placed upon a governmental entity by the United States Department of Agriculture under the National School Lunch Program or the School

**Breakfast Program.**

**5. For purposes of this section, "governmental entity" means the state of Missouri, its departments, agencies, boards, commissions and institutions, and all school districts of the state. Governmental entity does not include political subdivisions of the state.**

**6. Notwithstanding the provisions of this section to the contrary, a purchasing agent who has entered into a contract with a supplier before July 1, 2002, to purchase food and beverages shall not be required to purchase high calcium foods and beverages if purchasing such products would change the terms of the contract."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Britt resumed the Chair.

On motion of Representative Portwood, **House Amendment No. 4** was adopted.

On motion of Representative Selby, **HCS HB 1695, as amended**, was adopted.

On motion of Representative Selby, **HCS HB 1695, as amended**, was ordered perfected and printed.

**HCS HB 1936**, relating to agriculture, was taken up by Representative Shoemyer (9).

Representative Shoemyer (9) offered **HS HCS HB 1936**.

Representative Legan offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1936, Page 2, Section 261.230, Line 16, by deleting the words "**or any equivalent successor program**".

Representative Legan moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Gratz	Griesheimer
Hanaway	Hegeman	Henderson	Hendrickson	Hunter
Jetton	Kelley 47	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Townley	Vogel	Whorton	Wright

NOES: 080

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Lawson	Liese	Lowe	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Relford	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 012

Burcham	Harlan	Hartzler	Hohulin	Holand
Kelly 144	Koller	Naeger	Reinhart	Reynolds
Surface	Wagner			

VACANCIES: 001

Representative Shoemyer (9) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1936, Page 5, Section 261.235, Line 24, by inserting after the word “produced” on said line the following: “**or family-farm corporation-produced**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Shoemyer (9), **House Amendment No. 2** was adopted.

Representative Shoemyer (9) offered **House Amendment No. 3.**

Representative Boatright raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

**House Amendment No. 3** was withdrawn.

On motion of Representative Shoemyer (9), **HS HCS HB 1936, as amended**, was adopted by the following vote:

AYES: 075

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Haywood	Hickey	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Treadway
Troupe	Villa	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burton
Byrd	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Gratz
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Lograsso	Long
Luetkemeyer	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Nordwald	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Townley	Vogel	Whorton
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 016

Bowman	Burcham	Harlan	Hilgemann	Hohulin
Holand	Koller	Lawson	Marble	Naeger
Reinhart	Reynolds	Surface	Thompson	Van Zandt
Wagner				

VACANCIES: 001

On motion of Representative Shoemyer (9), **HS HCS HB 1936, as amended**, was ordered perfected and printed.

Speaker Kreider assumed the Chair.

**HCS HBs 1729, 1589 & 1435**, relating to concealable weapons, was taken up by Representative Barnitz.

Representative Barnitz offered **HS HCS HBs 1729, 1589 & 1435**.

Representative Barnitz offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 2, Section 50.535, Line 8, by deleting the following: "**this section**" and inserting in lieu thereof the following: "**section 571.094 RSMo**"; and

Further amend said bill, Page 13, Section 571.094, Line 19, by deleting the following: "**23**" and inserting in lieu thereof the following: "**22**".

On motion of Representative Barnitz, **House Amendment No. 1** was adopted.

Representative Seigfreid offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 9, Section 571.094, Line 14, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**ten-year**"; and

Further amend said bill, Page 9, Section 571.094, Line 20, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**ten-year**"; and

Further amend said bill, Page 11, Section 571.094, Line 21, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**ten-year**"; and

Further amend said bill, Page 12, Section 571.094, Line 2, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**ten-year**"; and

Further amend said bill, Page 38, Section 571.094, Line 12, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**ten-year**"; and

Further amend said bill, Page 38, Section 571.094, Line 18, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**ten-year**".

Representative Seigfreid moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Gratz offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 42, Section 571.094, Line 2 of said page, by deleting all of said line and inserting in lieu thereof the following:

**"2003, the certificate of qualification issued by a county sheriff pursuant to subsection 1 of section 571.094, shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 19 of this section in lieu of the concealed carry endorsement issued by the director of revenue, unless such certificate of qualification has been suspended or revoked for cause.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Gratz, **House Amendment No. 3** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 9, Section 571.094, Line 7, by deleting “**other than a crime**” on said line; and

Further amend said bill, Page 9, Section 571.094, Lines 8 to 11, by deleting all of said lines; and

Further amend said bill, Page 10, Section 571.094, Line 2, by deleting “**other than a crime**”; and

Further amend said bill, Section 571.094, Lines 3 to 6, by deleting all of said lines; and

Further amend said bill, Page 11, Line 14, Section 571.094, by deleting “**other than a crime classified as a misdemeanor**” on said line; and

Further amend said bill, Page 11, Section 571.094, Lines 15 to 17, by deleting all of said lines; and

Further amend said bill, Page 12, Section 571.094, Line 9, by deleting “**other than a crime classified as a misdemeanor**” on said line; and

Further amend said bill, Page 12, Section 571.094, Lines 10 to 12, by deleting all of said lines.

Representative Riback Wilson (25) moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Abel	Baker	Barry 100	Bland	Boucher
Bowman	Boykins	Brooks	Byrd	Campbell
Carnahan	Cunningham	Curls	Daus	Dempsey
Enz	Fares	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 15	Hagan-Harrell
Hanaway	Harding	Haywood	Hendrickson	Hickey
Hilgemann	Hollingsworth	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Lowe
Mays 50	Monaco	Paone	Portwood	Rizzo
Scheve	Shelton	Shields	Shoemaker	Skaggs
St. Onge	Villa	Walker	Williams	Willoughby
Wilson 25	Wilson 42			

NOES: 078

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Britt	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Davis	Dolan	Farnen	Gaskill
Gratz	Griesheimer	Hampton	Hartzler	Hegeman

Henderson	Holt	Hunter	Jetton	Kelly 144
Kelly 36	King	Legan	Liese	Linton
Long	Luetkemeyer	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Moore	Myers
Overschmidt	Phillips	Purgason	Quinn	Ransdall
Rector	Reid	Relford	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shoemyer	Smith
Townley	Treadway	Troupe	Vogel	Ward
Whorton	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 027

Bray 84	Burcham	Burton	Froelker	Green 73
Harlan	Hohulin	Holand	Hoppe	Koller
Lawson	Lograsso	Luetkenhaus	Marble	Murphy
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Reinhart	Reynolds	Surface	Thompson	Van Zandt
Wagner	Walton			

VACANCIES: 001

Representative Barnitz offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 26, Section 571.094, Line 19, by inserting after the word “Any” the following: “**higher education institution or**”; and

Further amend said bill, Page 26, Section 571.094, Line 20, by inserting after the word “of” on said line the following: “**the governing body of the higher education institution or**”.

On motion of Representative Barnitz, **House Amendment No. 5** was adopted.

Representative Hickey offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 85, Section 571.094, Line 20, by inserting after the word “endorsement” on said line the words “**to carry a specified firearm**”; and

Further amend said bill, section and page, Line 23, by inserting after the word “application” on said line the words:

“**The specified firearm shall be identified on the face of the certificate by manufacturer, model, serial number, caliber, barrel length and other pertinent information.**”.

Representative Hickey moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Baker	Barry 100	Bland	Boucher	Bowman
Boykins	Brooks	Campbell	Carnahan	Curls
Daus	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Green 15
Green 73	Hagan-Harrell	Harding	Haywood	Hendrickson
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Johnson 61	Jolly	Jones	Kelly 27	Lowe
Mays 50	O'Connor	O'Toole	Rizzo	Scheve
Shelton	Skaggs	Villa	Walker	Walton
Williams	Willoughby	Wilson 25	Wilson 42	

NOES: 088

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Byrd	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Davis	Dempsey	Enz
Froelker	Gaskill	Gratz	Griesheimer	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Holand
Holt	Hunter	Jetton	Johnson 90	Kelley 47
Kelly 144	Kelly 36	King	Legan	Liese
Linton	Lograsso	Luetkemeyer	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Myers	Ostmann	Overschmidt	Phillips
Purgason	Quinn	Ransdall	Rector	Reid
Relford	Richardson	Ridgeway	Roark	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Smith	St. Onge
Townley	Treadway	Troupe	Vogel	Ward
Whorton	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 025

Ballard	Bray 84	Britt	Burcham	Burton
Dolan	Harlan	Hohulin	Koller	Lawson
Long	Luetkenhaus	Marble	Murphy	Naeger
Nordwald	Paone	Portwood	Reinhart	Reynolds
Robirds	Surface	Thompson	Van Zandt	Wagner

VACANCIES: 001

Representative Wilson (42) offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 2, Section 50.535, Lines 4 to 7, by deleting all of said lines and inserting in lieu thereof the following:

**“3. If the moneys collected and deposited into this fund are not totally expended annually, then the unexpended balance shall remain in said fund and the balance used to produce and distribute public service announcements promoting the safe storage of firearms in the presence of children.”.**



On motion of Representative Wilson (42), **House Amendment No. 7** was adopted.

Representative Byrd offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 41, Section 571.094, Line 22, by inserting after all of said line the following:

"37. This section shall become effective only in those counties in which the governing body of the county submits to the voters of the county, at a regularly scheduled countywide election, a proposal to implement the provisions of this section, or in which a petition, signed by a number of qualified voters residing in the county equal to eight percent of the votes cast in the county in the next preceding gubernatorial election, is filed with the governing body of the county requesting the submission of a proposal to implement the provisions of this section to the voters at a regularly scheduled countywide election. The governing body of the county shall give notice of the election by publication in a newspaper of general circulation in the county for two consecutive weeks, the last insert of which shall be within ten days of the election. The ballot of submission shall include, but not be limited to the following language:

Shall the county of . . . . . (County's name) enforce section 571.094, RSMo, the concealed carry law?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon in the county are in favor of the proposal, this section shall become effective in that county. If a majority of the votes cast on the proposal by the qualified voters voting thereon in the county are opposed to such proposal, this section shall not become effective in that county."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hanaway offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 41, Section 571.094, Line 21, by inserting after all of said line the following:

"37. The provisions of this section shall not apply to any county with a charter form of government and with more than one million inhabitants, or to any city not within a county, or to any home rule city with more than four hundred thousand inhabitants and located in more than one county or to any county of the first classification without a charter form of government and with more than one hundred thirty-five thousand four hundred but less than one hundred thirty-five thousand five hundred inhabitants, or to any county of the first classification without a charter form of government and with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants, or to any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants, or to any county of the first classification without a charter form of government and with more than seventy-one thousand three hundred but less than seventy-one thousand four hundred inhabitants, or to any county of the third classification with a township form of government and with more than six thousand eight hundred but less than six thousand nine hundred inhabitants, or to any county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, or to any county of the third classification with a township form of government and with more than twenty-one

thousand eight hundred fifty but less than twenty-one thousand nine hundred fifty inhabitants, or to any county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants, or to any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, unless the governing body of such county or such city submits to the voters of such county or such city, at a regularly scheduled countywide or citywide election, a proposal to implement the provisions of this section, or in which a petition, signed by a number of qualified voters residing in such county or such city equal to eight percent of the votes cast in such county or such city in the next preceding gubernatorial election, is filed with the governing body of such county or such city requesting the submission of a proposal to implement the provisions of this section to the voters at a regularly scheduled countywide or citywide election. The governing body of such county or such city shall give notice of the election by publication in a newspaper of general circulation in such county or such city for two consecutive weeks, the last insert of which shall be within ten days of the election. The ballot of submission shall include, but not be limited to the following language:

Shall the (county of ..... ) (city of ..... ) (county's name) (city's name) enforce section 571.094, RSMo, the concealed carry endorsement law?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon in such county or such city are in favor of the proposal, this section shall become effective in that county or that city. If a majority of the votes cast on the proposal by the qualified voters voting thereon in such county or such city are opposed to such proposal, this section shall not become effective in that county or that city."; and

Further amend said title, enacting clause and intersectional references accordingly.

**HCS HBs 1729, 1589 & 1435, with House Substitute Amendment No. 1 for House Amendment No. 8, House Amendment No. 8 and HS, as amended, pending, was laid over.**

#### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 40** - Education-Elementary and Secondary

#### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 1143** - Fiscal Review and Government Reform (Fiscal Note)

**HS HCS HB 1962** - Fiscal Review and Government Reform (Fiscal Note)

**HB 1121** - Budget

#### **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 58** - Insurance

## **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SCS SBs 1061 & 1062** - Critical Issues, Consumer Protection and Housing

## **COMMITTEE REPORTS**

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1777**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Utilities Regulation**, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HB 1500**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Utilities Regulation, to which was referred **HB 1914**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Ways and Means**, Chairman Hilgemann reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1576**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1115**, and has taken up and passed **CCS SCS HCS HB 1115**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 670 & 684**, entitled:

An act to repeal sections 168.021, 191.900, 191.910, 198.012, 198.029, 198.032, 198.067, 198.070, 198.082, 198.090, 198.526, 198.532, 344.050, 565.186, 565.188, 565.190, 630.140, 630.167, 660.050, 660.058, 660.305, 660.315, 660.317 and 660.320, RSMo, relating to protection of the elderly, and to enact in lieu thereof thirty-five new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 837, 866, 972 & 990**, entitled:

An act to repeal sections 142.028, 348.430, 348.432 and 414.032, RSMo, relating to agriculturally-based fuels, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 894, 975 & 927**, entitled:

An act to amend chapter 144, RSMo, by adding thereto one new section relating to a temporary exemption from state and local sales and use tax on retail sales of clothing, school supplies and personal computers before the start of the school year, with an emergency clause and a termination date.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

### **LETTER OF OBJECTION**

April 18, 2002

Mr. Ted Wedel  
Chief Clerk  
Missouri House of Representatives  
Room 306, Capitol Building  
Jefferson City, MO 65101

Dear Mr. Wedel,

I am respectfully submitting a correction to the House Journal for the 54<sup>th</sup> day, Wednesday, April 17, 2002.

On page 1148 under MOTION, the sentence should read "The motion to reconsider the vote by which HB 1869 was third read and defeated was made by Casper the Unfriendly Ghost and taken up."

On page 1162 under MOTION, the sentence should read "The motion to reconsider the vote by which HB 1869 was third read and defeated was made by Casper the Unfriendly Ghost and again taken up."

Respectfully submitted,

/s/ Thomas A. Villa

The following member's presence was noted: Reinhart.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 3:00 p.m., Monday, April 22, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-fourth Day, Wednesday, April 17, 2002, pages 1140 and 1141, roll call, by showing Representatives Graham and Hunter voting "aye" rather than "absent with leave".

Pages 1141 and 1142, roll call, by showing Representatives Boucher, Hunter and Kelly (144) voting "aye" rather than "absent with leave".

Page 1146, roll call, by showing Representatives Berkstresser and Green (15) voting "aye" rather than "absent with leave".

Page 1147, roll call, by showing Representatives Bartelsmeyer, Berkstresser, Green (15), Hampton and Jolly voting "aye" rather than "absent with leave".

Pages 1152 and 1153, roll call, by showing Representatives Barry and Wagner voting "aye" rather than "absent with leave".

Pages 1156 and 1157, roll call, by showing Representative Johnson (61) voting "aye" rather than "present".

Pages 1156 and 1157, roll call, by showing Representatives Wagner and Ward voting "aye" rather than "absent with leave".

Page 1158, roll call, by showing Representatives Wagner and Ward voting "no" rather than "absent with leave".

Page 1159, roll call, by showing Representative Wagner voting "no" rather than "absent with leave".

Pages 1160 and 1161, roll call, by showing Representatives Barnett, Campbell, Hosmer, Ross and Ward voting "aye" rather than "absent with leave".

Page 1162, roll call, by showing Representative Ross voting "aye" rather than "absent with leave".

Page 1163, roll call, by showing Representative Ross voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **BUDGET**

Monday, April 22, 2002, 12:00 p.m. Hearing Room 3.  
Public Hearing to be held on: HB 1120, HB 1121

CIVIL AND ADMINISTRATIVE LAW

Tuesday, April 23, 2002, 9:30 a.m. Side gallery.

Executive Session to be held on: SB 969

CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING

Monday, April 22, 2002, 8:00 p.m. Hearing Room 3.

Public Hearing to be held on: SB 1061

ELECTIONS

Monday, April 22, 2002. Side gallery upon evening adjournment.

Executive Session.

Public Hearing to be held on: SB 675

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, April 23, 2002. Hearing Room 3 upon morning recess.

Fiscal Review: HB 1460, HS HCS HB 1962, HCS HB 1143.

Public Hearing to be held on: HB 1404

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Wednesday, April 24, 2002, 8:30 a.m. Hearing Room 5. U.S.

Custom House & Post Office Bldg. in St. Louis.

Master Plan for development of JCCC prison site.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, April 30, 2002, 1:00 p.m. Hearing Room 3.

Fire Protection District Special Review.

JUDICIARY

Tuesday, April 23, 2002. Hearing Room 5 upon morning recess.

Public Hearing to be held on: HJR 58, SB 840

TRANSPORTATION

Monday, April 22, 2002, 12:00 p.m. Hearing Room 6. AMENDED.

Executive Session.

WAYS AND MEANS

Tuesday, April 23, 2002, 8:30 a.m. Hearing Room 4.

Public Hearing to be held on: SB 836

**HOUSE CALENDAR**

FIFTY-SIXTH DAY, MONDAY, APRIL 22, 2002

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 47 - Willoughby

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1729, 1589 & 1435, HSA 1 for HA 8, HA 8 and HS, as amended, pending - Barnitz
- 2 HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Campbell
- 3 HB 1090 - Reynolds
- 4 HB 1508 - Koller
- 5 HB 1350 - Liese
- 6 HCS HB 1656 - Wright
- 7 HCS HB 1216 - Johnson (61)
- 8 HB 1627 - Kreider
- 9 HCS HB 1886 - Rizzo
- 10 HB 1307 - Williams
- 11 HB 1988 - Kelly (144)
- 12 HCS HB 1868 - Barry
- 13 HB 2160 - Britt
- 14 HCS HB 1650 - Hoppe
- 15 HB 1916 - Franklin
- 16 HCS HB 1231 - Harding
- 17 HB 2097 - Copenhaver
- 18 HCS HB 1318 - George
- 19 HCS HB 1777 - Johnson (61)
- 20 HCS HB 1576 - Hilgemann
- 21 HCS HB 1914 - Mays (50)

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

**HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

HCR 4, (4-18-02) - Boucher

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HJR 32 - Barry
- 2 HJR 28 - Villa
- 3 HCS HJR 51 - Whorton

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1460, (Fiscal Review 4-17-02) - Hilgemann
- 3 HS HCS HB 1962, (Fiscal Review 4-18-02) - Monaco
- 4 HCS HB 1143, (Fiscal Review 4-18-02) - Rizzo
- 5 HCS HB 1809 - Sanders Brooks
- 6 HB 1726 - Walton
- 7 HCS HB 1717 - Foley

**HOUSE BILL FOR THIRD READING - REVISION**

HB 2078 - Clayton

**HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL**

- 1 HB 1872 - Hosmer
- 2 HB 2155 - Willoughby

**SENATE BILLS FOR SECOND READING**

- 1 SS SCS SB 670 & 684
- 2 SS SCS SB 837, 866, 972 & 990
- 3 SCS SB 894, 975 & 927

**SENATE BILLS FOR THIRD READING - CONSENT**

(April 15, 2002)

SCS SB 988 - Hartzler

(April 16, 2002)

- 1 HCS SCS SB 645 - Relford
- 2 HCS SB 992 - Rizzo
- 3 SB 1124 - Gambaro
- 4 SCS SB 804 - Sanders Brooks
- 5 SB 639 - Williams
- 6 HCS SCS SB 776 - Harlan



- 7 HCS SCS SB 1113 - Farnen
- 8 SCS SB 997 - Willoughby
- 9 HCS SB 1012 - Lawson
- 10 HCS SB 795 - Treadway
- 11 HCS SCS SB 1086 & 1126 - Hoppe
- 12 HCS SB 786 - Campbell
- 13 SCS SB 1132 - Daus
- 14 HCS SB 1244 - Barry
- 15 HCS SB 961 - Curls
- 16 SB 708 - Lawson
- 17 SB 701 - Lowe
- 18 SB 742 - Monaco
- 19 HCS SB 749 - Monaco
- 20 HCS SB 1213 - Hosmer
- 21 HCS SCS SB 1210 - Lawson
- 22 SB 1247 - Willoughby
- 23 SB 1001 - Crump
- 24 HCS SB 1078 - Hoppe
- 25 SB 941 - Mays (50)
- 26 HCS SB 695 - Barry
- 27 HCS SB 962 - Jolly
- 28 HCS SB 1119 - Kelly (27)
- 29 SB 1217 - Boykins
- 30 SCS SB 967 - Hagan-Harrell
- 31 SB 1243 - Kelly (27)
- 32 HCS SCS SB 1212 - Ransdall
- 33 SB 1041, HCAs 1, 2 & 3 - Gratz
- 34 SB 1168, HCA 1 - Gratz
- 35 SB 974 - Koller
- 36 HCS SB 1251 - Monaco
- 37 SCS SB 1163 - Ransdall
- 38 SB 720 - Hoppe
- 39 HCS SB 714 - Barry
- 40 SCS SB 729 - Luetkenhaus
- 41 SB 891 - Rizzo
- 42 HCS SB 932 - Smith
- 43 SCS SB 1015 - Relford
- 44 SCS SB 1071 - Lawson
- 45 HCS SB 1094 - Green (73)
- 46 SB 1048 - Reinhart
- 47 SB 1028 - Luetkemeyer
- 48 SB 812 - Holand
- 49 SB 726 - Gaskill
- 50 SB 865 - Myers
- 51 SCS SB 918 - Linton

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- 52 HCS SB 1102 - Hosmer
- 53 SB 1109 - Portwood
- 54 HCS SCS SB 947 - Farnen
- 55 SCS SB 1207 - Holand
- 56 SCS SB 1151 - Myers
- 57 HCS SCS SB 980 - Hunter
- 58 SCS SB 874 - Franklin
- 59 HCS SB 1186 - Hoppe
- 60 SCS SB 1182 - Barry
- 61 HCS SCS SB 1202, E.C. - Koller
- 62 HCS SB 758 - Hosmer
- 63 SCS SB 1024 - Holand
- 64 SB 976 - Portwood
- 65 SS SCS SB 959, E.C. - Rizzo
- 66 SB 644 - Davis
- 67 SCS SB 1241, 1253 & 1189 - Boykins
- 68 SCS SB 966 - Gambaro
- 69 SB 798 - Ross
- 70 SCS SB 745 - Kelly (144)
- 71 HCS SB 950 - Griesheimer
- 72 SB 1199, HCA 1 - Bearden
- 73 HCS SCS SB 960 - O'Connor
- 74 HCS SCS SB 1093 - Hilgemann
- 75 SB 831 - Gambaro
- 76 HCS SCS SB 957 - Reid
- 77 SCS SB 656 - Luetkenhaus
- 78 HCS SCS SB 737 - Berkowitz

**SENATE BILL FOR THIRD READING**

SB 1220 - O'Toole

**HOUSE RESOLUTIONS**

- 1 HR 341, (3-7-02, Page 518) - Ladd Baker
- 2 HR 281, (4-9-02, Pages 1021 & 1022) - Hampton

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTY-SIXTH DAY, MONDAY, APRIL 22, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

God of all politics, but even more, God of people, be with us today. For some representatives, the final four weeks of this session will make an end to this chapter of their career. Surely and understandably they now prepare to move on to new and different life tasks. Others here in this room feel caught with only one month of this session left.

There is so much to decide, to do, and so little time. Some may just be tired of the struggles that this session has brought onto this floor, into hearing rooms, in contacts with constituents. All have joys and problems of family and friends with which to be concerned.

Here is certainly a mixed bag of thoughts and emotions, God. May the crooked lines of life seem a little straighter, the confusing, perhaps overwhelming emotions seem a bit more placid, as we here have at least paused within the storm and put ourselves in Your caring and compassionate presence. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Garrett Elder, Zachary Koch, Jake Henke, Trey Kalbaugh, Kyler Kalbaugh, Molly Anderson, Mary Theresa Liese and Sarah Michelle Liese.

The Journal of the fifty-fifth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1419 - Representative Ward  
House Resolution No. 1420  
and  
House Resolution No. 1421 - Representative Scheve  
House Resolution No. 1422 - Representative Gratz  
House Resolution No. 1423  
through  
House Resolution No. 1427 - Representative Richardson  
House Resolution No. 1428 - Representative Henderson  
House Resolution No. 1429 - Representative Luetkenhaus  
House Resolution No. 1430 - Representative Henderson  
House Resolution No. 1431 - Representative Richardson  
House Resolution No. 1432 - Representative Marsh

- House Resolution No. 1433 - Representative Haywood
- House Resolution No. 1434
- through
- House Resolution No. 1436 - Representative Shoemaker (8)
- House Resolution No. 1437 - Representative Britt
- House Resolution No. 1438
- through
- House Resolution No. 1442 - Representative Crowell
- House Resolution No. 1443 - Representative Kreider
- House Resolution No. 1444 - Representative Johnson (61)
- House Resolution No. 1445
- and
- House Resolution No. 1446 - Representative Shields
- House Resolution No. 1447 - Representative Ross
- House Resolution No. 1448
- and
- House Resolution No. 1449 - Representative Gratz
- House Resolution No. 1450 - Representative Boucher
- House Resolution No. 1451 - Representative Bowman
- House Resolution No. 1452 - Representative Jolly
- House Resolution No. 1453 - Representative Richardson
- House Resolution No. 1454 - Representative Legan
- House Resolution No. 1455 - Representative Overschmidt
- House Resolution No. 1456 - Representative Hampton
- House Resolution No. 1457 - Representative Boatright
- House Resolution No. 1458
- and
- House Resolution No. 1459 - Representative Troupe
- House Resolution No. 1460 - Representative Graham
- House Resolution No. 1461 - Representative Burton, et al
- House Resolution No. 1462 - Representatives Bartelsmeyer and Purgason
- House Resolution No. 1463 - Representative McKenna
- House Resolution No. 1464 - Representatives Williams and Berkstresser
- House Resolution No. 1465 - Representative Crump

## SECOND READING OF SENATE BILLS

SS SCS SBs 670 & 684, SS SCS SBs 837, 866, 972 & 990 and SCS SBs 894, 975 & 927 were read the second time.

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1695** and **HS HCS HB 1936**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS SCS HCS HB 1115**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

### PERFECTION OF HOUSE BILL

**HCS HBs 1729, 1589 & 1435, with House Substitute Amendment No. 1 for House Amendment No. 8, House Amendment No. 8 and HS, as amended, pending**, relating to concealable weapons, was taken up by Representative Barnitz.

Representative Hanaway moved that **House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 013

Ballard	Boucher	Byrd	Cunningham	Daus
Hanaway	Hendrickson	Kelley 47	Linton	Long
Reid	Robirds	St. Onge		

NOES: 140

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Dempsey	Dolan	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley

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Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

PRESENT: 001

Fares

ABSENT WITH LEAVE: 008

Burcham	Cierpiot	Davis	Enz	Holand
Hollingsworth	Hoppe	Troupe		

VACANCIES: 001

Representative Byrd moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 013

Boucher	Byrd	Cunningham	Daus	Fraser
Hanaway	Hendrickson	Hilgemann	Paone	Robirds
St. Onge	Villa	Wilson 25		

NOES: 140

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Dempsey	Dolan	Enz	Farnen
Foley	Franklin	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hohulin	Holand	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Van Zandt
Vogel	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

PRESENT: 001

Fares

ABSENT WITH LEAVE: 008

Ballard  
Hoppe

Burcham  
Troupe

Clayton  
Walker

Davis

Hollingsworth

VACANCIES: 001

Representative Skaggs offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 9, Section 571.094, Line 14, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**twenty-year**"; and

Further amend said bill, Page 9, Section 571.094, Line 20, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**twenty-year**"; and

Further amend said bill, Page 11, Section 571.094, Line 21, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**twenty-year**"; and

Further amend said bill, Page 12, Section 571.094, Line 2, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**twenty-year**"; and

Further amend said bill, Page 38, Section 571.094, Line 12, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**twenty-year**"; and

Further amend said bill, Page 38, Section 571.094, Line 18, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**twenty-year**".

Representative Barnitz raised a point of order that **House Amendment No. 9** is dilatory.

The Chair ruled the point of order not well taken.

Representative Seigfreid offered **House Substitute Amendment No. 1 for House Amendment No. 9.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 9, Section 571.094, Line 14, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**eight-year**"; and

Further amend said bill, Page 9, Section 571.094, Line 20, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**eight-year**"; and

Further amend said bill, Page 11, Section 571.094, Line 21, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**eight-year**"; and

Further amend said bill, Page 12, Section 571.094, Line 2, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**eight-year**"; and

Further amend said bill, Page 38, Section 571.094, Line 12, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**eight-year**"; and

Further amend said bill, Page 38, Section 571.094, Line 18, by deleting "**five-year**" on said line and inserting in lieu thereof the following: "**eight-year**".

Representative Seigfreid moved that **House Substitute Amendment No. 1 for House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Abel	Baker	Barry 100	Bearden	Bland
Boucher	Bowman	Boykins	Bray 84	Brooks
Byrd	Campbell	Carnahan	Champion	Cooper
Copenhaver	Cunningham	Curls	Daus	Dempsey
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 15	Hanaway
Harding	Haywood	Hendrickson	Hickey	Hilgemann
Holand	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	Linton
Lowe	Mays 50	Monaco	O'Connor	Paone
Reid	Relford	Rizzo	Scheve	Seigfreid
Skaggs	St. Onge	Thompson	Townley	Van Zandt
Villa	Walker	Walton	Williams	Willoughby
Wilson 25	Wilson 42			

NOES: 088

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bonner	Britt	Burton	Cierpiot	Clayton
Crawford	Crowell	Crump	Dolan	Enz
Froelker	Gaskill	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hartzler	Hegeman	Henderson
Hohulin	Holt	Hunter	Jetton	Kelly 144
King	Koller	Lawson	Legan	Liese
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secret	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
Surface	Treadway	Vogel	Wagner	Ward
Whorton	Wright	Mr. Speaker		

PRESENT: 000



ABSENT WITH LEAVE: 007

Burcham	Davis	Harlan	Hollingsworth	Hoppe
Reynolds	Troupe			

VACANCIES: 001

Representative Skaggs moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 043

Baker	Barry 100	Bland	Bowman	Boykins
Bray 84	Brooks	Campbell	Carnahan	Curls
Daus	Foley	Franklin	Fraser	Gambaro
George	Green 15	Harding	Haywood	Hickey
Hilgemann	Hosmer	Johnson 61	Jolly	Jones
Kelly 27	Lowe	Monaco	O'Connor	Paone
Reynolds	Rizzo	Scheve	Skaggs	Thompson
Van Zandt	Villa	Walker	Walton	Williams
Willoughby	Wilson 25	Wilson 42		

NOES: 111

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Britt
Burton	Byrd	Champion	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Dempsey	Dolan	Enz	Fares	Farnen
Froelker	Gaskill	Graham	Gratz	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Holt	Hunter	Jetton	Johnson 90	Kelley 47
Kelly 144	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Surface	Treadway
Vogel	Wagner	Ward	Whorton	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 008

Burcham	Cierpiot	Davis	Harlan	Hollingsworth
Hoppe	Townley	Troupe		

VACANCIES: 001

Representative Curls offered **House Amendment No. 10**.

Representative Merideth raised a point of order that **House Amendment No. 10** goes beyond the scope of the bill.

Representative Lograsso raised an additional point of order that **House Amendment No. 10** is not properly drafted.

The Chair ruled the first point of order well taken, leaving the second point of order irrelevant.

Representative Willoughby offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 24, Section 571.094, Line 14, by deleting the word “**solely**” and by inserting in lieu thereof the following: “**or any other building**”.

Representative Willoughby moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Bowman offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 31, Section 571.094, Line 15, by striking the words “ minimum of” from said line; and

Further amend said bill, Page 32, Line 10, by striking the words “fifteen rounds” and inserting in lieu thereof the words: “**fifty percent of the rounds fired from each distance**”.

Representative Bowman moved that **House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Baker	Barry 100	Bland	Boucher	Bowman
Boykins	Bray 84	Brooks	Byrd	Campbell
Carnahan	Champion	Cunningham	Curls	Daus
Fares	Foley	Fraser	Gambaro	George
Green 15	Hanaway	Harding	Haywood	Hendrickson
Hickey	Hilgemann	Hosmer	Johnson 61	Jolly
Jones	Kelly 27	Lowe	Mays 50	O'Connor
O'Toole	Paone	Reynolds	Rizzo	Scheve
Shelton	Skaggs	St. Onge	Thompson	Van Zandt
Villa	Walker	Walton	Williams	Willoughby
Wilson 25	Wilson 42			

NOES: 098

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	Burton
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Dempsey	Dolan	Enz	Farnen
Franklin	Froelker	Gaskill	Graham	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hartzler	Hegeman
Henderson	Hohulin	Holt	Hunter	Jetton
Johnson 90	Kelley 47	Kelly 36	King	Lawson
Legan	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Smith	Surface
Townley	Treadway	Vogel	Wagner	Ward
Whorton	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 012

Burcham	Copenhaver	Davis	Green 73	Harlan
Holand	Hollingsworth	Hoppe	Kelly 144	Koller
Monaco	Troupe			

VACANCIES: 001

Representative Lowe offered **House Amendment No. 12**.

**House Amendment No. 12** was withdrawn.

Representative Bray offered **House Amendment No. 12**.

Representative Barnitz raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Harding offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 11, Section 571.094, Line 4, by deleting the words “telephone number” and inserting in lieu thereof the words: “**social security number or driver’s license number**”; and

Further amend said bill, Section 571.094, Page 11, Line 8, by inserting after the word “States” the following: “**. Proof that the applicant is a resident must be submitted with the application**”; and

Further amend said bill, Page 11, Section 571.094, Line 9, by deleting the words “an affirmation” and inserting in lieu thereof the following: “**Proof**”.

Representative Harding moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Baker	Barry 100	Bland	Boucher	Bowman
Boykins	Bray 84	Brooks	Campbell	Carnahan
Curls	Daus	Fraser	Gambaro	George
Green 15	Harding	Harlan	Hickey	Hilgemann
Johnson 61	Jolly	Jones	Kelly 27	Lowe
Monaco	Reynolds	Rizzo	Scheve	Shelton
Skaggs	Thompson	Villa	Walker	Walton
Willoughby	Wilson 25	Wilson 42		

NOES: 110

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	Burton
Byrd	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Farnen	Franklin
Froelker	Gaskill	Graham	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hosmer
Hunter	Jetton	Johnson 90	Kelley 47	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Townley	Treadway	Vogel
Wagner	Ward	Whorton	Wright	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 014

Burcham	Crump	Davis	Foley	Gratz
Green 73	Haywood	Hollingsworth	Hoppe	O'Connor
Paone	Troupe	Van Zandt	Williams	

VACANCIES: 001

Representative Gambaro offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 2, Section 571.035, Line 14 of said page, by inserting immediately after said line the following:

**“5. Any additional costs incurred by any county or county official by virtue of enactment of this section or section 571.091 or amendment of section 571.030 as provided by this act shall be reimbursed by the state pursuant to appropriation for such purpose, as provided by section 21 of article X of the constitution.”.**

Representative Gambaro moved that **House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Baker	Barry 100	Bland	Boucher	Bowman
Boykins	Bray 84	Brooks	Byrd	Campbell
Carnahan	Cunningham	Curls	Daus	Dempsey
Fares	Foley	Franklin	Fraser	Gambaro
George	Green 15	Hanaway	Harding	Haywood
Hendrickson	Hickey	Hilgemann	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Lowe
Monaco	O'Connor	O'Toole	Paone	Reynolds
Rizzo	Shelton	Skaggs	Thompson	Van Zandt
Villa	Walker	Walton	Willoughby	Wilson 25
Wilson 42				

NOES: 097

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Britt	Burton	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Enz	Farnen	Froelker
Gaskill	Graham	Gratz	Griesheimer	Hagan-Harrell
Hampton	Hegeman	Henderson	Hohulin	Holand
Holt	Hosmer	Hunter	Jetton	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Secrest	Seigfreid	Selby	Shields
Shoemaker	Smith	Smith	St. Onge	Surface
Townley	Treadway	Vogel	Wagner	Whorton
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 014

Abel	Burcham	Davis	Dolan	Green 73
Harlan	Hartzler	Hollingsworth	Hoppe	Scheve
Scott	Troupe	Ward	Williams	

VACANCIES: 001

Representative Lowe offered **House Amendment No. 14**.

**House Amendment No. 14** was withdrawn.

Representative Hickey offered **House Amendment No. 14**.

Representative Barnitz raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Willoughby offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 27, Section 571.094, Lines 15 to 18, by deleting the following on said lines: “without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship.”.

Representative Willoughby moved that **House Amendment No. 14** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Abel	Baker	Barnett	Barry 100	Bland
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Byrd	Campbell	Champion	Copenhaver
Cunningham	Curls	Daus	Dempsey	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Green 15	Hanaway	Harding
Harlan	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Lawson
Lowe	Mays 50	Monaco	O'Connor	O'Toole
Ostmann	Paone	Portwood	Reid	Relford
Reynolds	Rizzo	Scheve	Secrest	Seigfreid
Shelton	Shields	Skaggs	Smith	St. Onge
Thompson	Van Zandt	Villa	Walker	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42

NOES: 079

Ballard	Barnitz	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bonner	Burton	Cierpiot	Clayton	Cooper
Crawford	Crowell	Crump	Dolan	Enz
Froelker	Gaskill	Gratz	Griesheimer	Hagan-Harrell
Hampton	Hartzler	Henderson	Hohulin	Holt
Hunter	Jetton	Kelly 144	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso

Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	McKenna	Merideth	Miller
Moore	Myers	Naeger	Nordwald	Overschmidt
Phillips	Purgason	Quinn	Ransdall	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Selby	Shoemaker
Shoemyer	Surface	Townley	Treadway	Vogel
Wagner	Whorton	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Burcham	Carnahan	Davis	Green 73	Holand
Hollingsworth	Murphy	Troupe		

VACANCIES: 001

Representative Monaco offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 25, Section 571.094, Line 1, by deleting all of said line after the word “**assembly**” on said line and inserting in lieu thereof the following: “;” and

Further amend said bill, Page 25, Section 571.094, Lines 2 to 4, by deleting all of said lines.

Representative Lograsso offered **House Substitute Amendment No. 1 for House Amendment No. 15**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 15*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 24, Lines 23 and 24, by deleting all of said lines; and

Further amend said bill by deleting all of Lines 1 to 4 on Page 25 and renumbering the remaining subsections.

Representative Lograsso moved that **House Substitute Amendment No. 1 for House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 031

Barnitz	Bearden	Black	Boatright	Cooper
Crawford	Hampton	Henderson	Hendrickson	Hohulin
Holand	Holt	Hunter	Jetton	Kelly 144
Kelly 36	Lograsso	Mayer	Naeger	Phillips
Roark	Robirds	Ross	Selby	Shoemaker
Shoemyer	Wagner	Whorton	Wilson 25	Wright
Mr. Speaker				

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NOES: 112

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Berkstresser	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Copenhaver	Crowell	Crump
Cunningham	Curls	Daus	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hanaway	Harding	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	King	Koller	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Smith
St. Onge	Surface	Thompson	Treadway	Van Zandt
Villa	Vogel	Walker	Walton	Williams
Willoughby	Wilson 42			

PRESENT: 001

Dolan

ABSENT WITH LEAVE: 018

Baker	Bland	Burcham	Carnahan	Davis
Dempsey	Froelker	Green 73	Harlan	Hollingsworth
Lawson	Long	Murphy	Scheve	Skaggs
Townley	Troupe	Ward		

VACANCIES: 001

Representative Monaco moved that **House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Abel	Baker	Barry 100	Bland	Boucher
Bowman	Boykins	Bray 84	Brooks	Burton
Byrd	Campbell	Champion	Cunningham	Curls
Daus	Dempsey	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Hanaway	Harding	Harlan	Haywood	Hendrickson
Hickey	Hilgemann	Holand	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Lowe	Mays 50	Monaco	O'Connor	O'Toole
Paone	Portwood	Reid	Relford	Reynolds
Rizzo	Scheve	Secrest	Shelton	Shields
Skaggs	St. Onge	Surface	Thompson	Van Zandt



Villa	Walker	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42		

NOES: 084

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Britt	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Dolan	Enz	Froelker	Gaskill	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hartzler
Hegeman	Henderson	Hohulin	Holt	Hunter
Jetton	Kelley 47	Kelly 144	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Ostmann	Overschmidt
Phillips	Purgason	Quinn	Ransdall	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Seigfreid	Selby
Shoemaker	Shoemyer	Smith	Treadway	Vogel
Wagner	Whorton	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 010

Burcham	Carnahan	Davis	Green 73	Hollingsworth
Lawson	Long	Nordwald	Townley	Troupe

VACANCIES: 001

Representative Riback Wilson (25) offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, by inserting in the appropriate location the following:

**“Section 1. A certificate of qualification for a concealed carry endorsement shall not be issued to a person:**

**(1) Who is subject to a court order that:**

**(a) Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;**

**(b) Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and**

**(c) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child, or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or**

**(2) Who has been convicted in any court of a misdemeanor crime of domestic violence.”**

Representative Riback Wilson (25) moved that **House Amendment No. 16** be adopted.

Which motion was defeated by the following vote:

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AYES: 067

Abel	Baker	Barry 100	Bland	Boucher
Bowman	Boykins	Bray 84	Brooks	Byrd
Campbell	Cunningham	Curls	Daus	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Green 15	Hanaway	Harding	Harlan	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hoppe	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Lowe	Mays 50	Merideth
Monaco	O'Connor	O'Toole	Ostmann	Paone
Portwood	Reid	Reynolds	Shelton	Shields
Shoemyer	Skaggs	St. Onge	Thompson	Van Zandt
Villa	Walker	Walton	Williams	Willoughby
Wilson 25	Wilson 42			

NOES: 083

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Britt	Burton	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Froelker	Gaskill	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hartzler	Henderson
Hohulin	Holt	Hunter	Jetton	Kelly 144
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Overschmidt	Phillips	Purgason	Quinn	Ransdall
Rector	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shoemaker
Surface	Treadway	Vogel	Wagner	Ward
Whorton	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 012

Burcham	Carnahan	Davis	Green 73	Hollingsworth
Hosmer	Lawson	Long	Scheve	Smith
Townley	Troupe			

VACANCIES: 001

Representative Fraser offered **House Amendment No. 17**.

Representative Merideth raised a point of order that **House Amendment No. 17** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Hickey offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 2, Section 571.030, Line 18 of said page, by inserting immediately after the word “**blackjack**” on said line the following:

“, except that a blackjack shall not include any expandable baton that is of the same or substantially similar size, shape and dimension as an Asp F21 or F16 expandable baton.”.

Representative Hickey moved that **House Amendment No. 17** be adopted.

Which motion was defeated.

Representative Johnson (90) offered **House Amendment No. 18**.

*House Amendment No. 18*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 24, Section 571.094, Line 3, by deleting the language “Any polling place on any election day” and inserting in lieu thereof the following: “**Within twenty-five feet of any polling place on any election day**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 18** was adopted.

Representative Fraser offered **House Amendment No. 19**.

*House Amendment No. 19*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, by inserting in the appropriate location the following:

“**Section B. Section A of this act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on the Tuesday immediately following the first Monday in November, 2002, or at special election to be called by the governor for that purpose, pursuant to the laws and constitutional provisions of this state applicable to general elections and the submission of referendum measures by initiative petition, and it shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.**”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Fraser moved that **House Amendment No. 19** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Baker	Barry 100	Bland	Boucher	Bowman
Boykins	Bray 84	Brooks	Byrd	Campbell
Champion	Cunningham	Curls	Daus	Fares
Franklin	Fraser	Gambaro	Graham	Green 15
Hanaway	Harding	Harlan	Haywood	Hendrickson

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Hilgemann	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 36	Lowe
Paone	Reid	Reynolds	Rizzo	Scheve
Shelton	St. Onge	Thompson	Van Zandt	Villa
Walker	Walton	Williams	Willoughby	Wilson 25
Wilson 42				

NOES: 098

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	Burton
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Dempsey	Dolan	Enz
Farnen	Foley	Gaskill	George	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hartzler	Hegeman
Henderson	Hohulin	Holand	Holt	Hunter
Jetton	Kelly 144	King	Koller	Lawson
Legan	Liese	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	Smith
Surface	Treadway	Vogel	Wagner	Ward
Whorton	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 013

Burcham	Carnahan	Davis	Froelker	Green 73
Hickey	Hollingsworth	Kelly 27	Linton	Relford
Skaggs	Townley	Troupe		

VACANCIES: 001

Representative Riback Wilson (25) offered **House Amendment No. 20**.

### *House Amendment No. 20*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 28, Section 571.094, Line 15, by deleting on said line the following: “with a seating capacity of” and inserting in lieu thereof the following: “;”; and

Further amend said bill, same section, Page 28, Line 16, by deleting all of said line.

Representative Riback Wilson (25) moved that **House Amendment No. 20** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Abel	Baker	Barry 100	Bearden	Bland
Boucher	Bowman	Boykins	Bray 84	Brooks
Burton	Byrd	Campbell	Champion	Clayton
Copenhaver	Crump	Cunningham	Curls	Daus
Dempsey	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Green 15
Hanaway	Harding	Harlan	Hendrickson	Hilgemann
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Liese	Lowe
Mays 50	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Reid	Relford
Rizzo	Scheve	Seigfreid	Shelton	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Van Zandt	Villa	Walker	Walton	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	

NOES: 077

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bonner	Britt	Cierpiot	Cooper	Crawford
Crowell	Dolan	Enz	Froelker	Gaskill
Gratz	Griesheimer	Hagan-Harrell	Hampton	Hartzler
Hegeman	Henderson	Hohulin	Holand	Hunter
Jetton	Kelley 47	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Selby	Shields
Shoemaker	Shoemyer	Vogel	Wagner	Ward
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 011

Burcham	Carnahan	Davis	Green 73	Haywood
Hickey	Hollingsworth	McKenna	Reynolds	Townley
Troupe				

VACANCIES: 001

Representative Crump offered **House Amendment No. 21.**

*House Amendment No. 21*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1729, 1589 & 1435, Page 41, Section 571.094, Line 22, by inserting after all of said line the following:

**“37. Notwithstanding the provisions of subdivision (10) of subsection 19 of this section, no driver license or nondriver license containing a concealed carry endorsement issued pursuant to this section or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry a concealed firearm into any elementary or secondary school facility.”.**

On motion of Representative Crump, **House Amendment No. 21** was adopted.

On motion of Representative Barnitz, **HS HCS HBs 1729, 1589 & 1435, as amended**, was adopted.

On motion of Representative Barnitz, **HS HCS HBs 1729, 1589 & 1435, as amended**, was ordered perfected and printed.

### **SIGNING OF HOUSE BILL**

All other business of the House was suspended while **CCS SCS HCS HB 1115** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 1695** - Fiscal Review and Government Reform (Fiscal Note)

**HCS HB 1717** - Fiscal Review and Government Reform (Fiscal Note)

**HB 1726** - Fiscal Review and Government Reform (Fiscal Note)

### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolutions were referred to the Committee indicated:

**SCR 35** - Social Services, Medicaid and the Elderly

**SCR 36** - Education-Elementary and Secondary

**SCR 40** - Commerce and Economic Development

**SCR 41** - Labor

**SCR 44** - Miscellaneous Bills & Resolutions

**SCR 48** - Miscellaneous Bills & Resolutions

**SCR 49** - Miscellaneous Bills & Resolutions

**SCS SCR 53** - Critical Issues, Consumer Protection and Housing

**SCR 54** - Miscellaneous Bills & Resolutions

**SCR 56** - Agriculture

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS SCS SBs 670 & 684** - Social Services, Medicaid and the Elderly  
**SS SB 687** - Children, Families and Health  
**SCS SBs 721, 757, 818 & 930** - Transportation  
**SB 740** - Civil and Administrative Law  
**SCS SBs 741, 929 & 871** - Children, Families and Health  
**SS SCS SBs 837, 866, 972 & 990** - Agriculture  
**SS SCS SBs 843 & 658** - Civil and Administrative Law  
**SB 893** - Insurance  
**SCS SBs 894, 975 & 927** - Miscellaneous Bills & Resolutions  
**SS SCS SB 931** - Judiciary  
**SCS SBs 958 & 657** - Judiciary  
**SB 1005** - Labor  
**SB 1017** - Tourism, Recreation and Cultural Affairs  
**SCS SB 1227** - Criminal Law  
**SB 1269** - Agriculture

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 892**, entitled:

An act to repeal sections 214.270 and 214.387, RSMo, relating to cemeteries, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 900**, entitled:

An act to amend chapter 393, RSMo, by adding thereto two new sections relating to aggregate purchase of natural gas by eligible school entities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, April 23, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-fifth Day, Thursday, April 18, 2002, page 1195, line 6, by inserting after said line the following:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HCR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **HOUSE CONCURRENT RESOLUTION NO. 4**

Whereas, on April 24, 1915, three hundred Armenian leaders, writers, thinkers and professionals and five thousand of the poorest Armenians in Constantinople were rounded up and killed in the streets and in their homes by the Young Turk government of the Ottoman Empire; and

Whereas, from 1915 to 1923 nearly one and a half million Armenian men, women, and children out of a total of two and a half million Armenians in the Ottoman Empire were systematically sent to concentration camps, tortured and murdered by the Turks; and

Whereas, the United States was the first country to recognize the Armenian Genocide and raise millions of dollars to aid the victims of the Genocide; and

Whereas, most Armenians in the United States are children or grandchildren of the survivors of the Armenian Genocide; and

Whereas, by remembering and forcefully condemning the atrocities committed against the Armenians and honoring the survivors, as well as other victims of similar heinous conduct, we guard against repetition of such acts of genocide; and

Whereas, April 24 is the date on which Armenians around the world commemorate the Genocide in recognition of the day in 1915 when over five thousand Armenians were killed in Constantinople by the Turkish Ottoman Empire:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby declare April 24th to be a "Day of Remembrance of the Armenian Genocide"; and

Be it further resolved that all Missourians be encouraged to observe the day in a manner that honors the survivors and brings to mind the meaning and historical significance of the Armenian Genocide

Pages 1172 and 1173, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Pages 1172 and 1173, roll call, by showing Representative Black voting "no" rather than "absent with leave".

Pages 1173 and 1174, roll call, by showing Representative Black voting "no" rather than "absent with leave".

Pages 1175 and 1176, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".



Page 1180, roll call, by showing Representative Hampton voting "aye" rather than "absent with leave".

Pages 1186 and 1187, roll call, by showing Representatives Kelly (144) and Surface voting "aye" rather than "absent with leave".

Pages 1186 and 1187, roll call, by showing Representative Wagner voting "no" rather than "absent with leave".

Pages 1187 and 1188, roll call, by showing Representatives Surface and Wagner voting "no" rather than "absent with leave".

Pages 1190 and 1191, roll call, by showing Representatives Burton, Froelker, Luetkenhaus, Surface and Wagner voting "no" rather than "absent with leave".

Pages 1191 and 1192, roll call, by showing Representatives Murphy and Paone voting "aye" rather than "absent with leave".

Pages 1191 and 1192, roll call, by showing Representatives Burton, Luetkenhaus, Robirds, Surface and Wagner voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **BANKS AND FINANCIAL INSTITUTIONS**

Wednesday, April 24, 2002. Hearing Room 3 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: SB 884

### **BUDGET**

Tuesday, April 23, 2002. Hearing Room 3 upon morning recess.

Executive Session.

Public Hearing to be held on: HB 1120, HB 1121

### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, April 23, 2002. Hearing Room 4 upon noon adjournment.

Executive Session may follow.

Public Hearing to be held on: SCR 37, SCR 46

### **CIVIL AND ADMINISTRATIVE LAW**

Tuesday, April 23, 2002, 9:30 a.m. Side gallery.

Executive Session to be held on: SB 969

**EDUCATION - ELEMENTARY AND SECONDARY**

Wednesday, April 24, 2002, 8:00 a.m. Hearing Room 3.

Possible Executive Session on HCR 40, SCS SB 722, SB 860, SCS SB 756 and SB 718.

Public Hearing to be held on: HCR 40

**FISCAL REVIEW AND GOVERNMENT REFORM**

Tuesday, April 23, 2002. Hearing Room 3 upon morning recess.

Fiscal Review: HB 1460, HS HCS HB 1962, HCS HB 1143.

Public Hearing to be held on: HB 1404

**JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT**

Wednesday, April 24, 2002, 8:30 a.m. Hearing Room 5.

U.S. Custom House & Post Office Building in St. Louis.

Master Plan for development of JCCC prison site.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, April 30, 2002, 1:00 p.m. Hearing Room 3.

Fire Protection District Special Review.

**JUDICIARY**

Tuesday, April 23, 2002. Hearing Room 5 upon morning recess.

Public Hearing to be held on: HJR 58, SB 840

**MOTOR VEHICLE AND TRAFFIC REGULATIONS**

Tuesday, April 23, 2002. Side gallery upon morning recess.

Executive Session to be held on: HB 2042

**WAYS AND MEANS**

Tuesday, April 23, 2002, 8:30 a.m. Hearing Room 4.

Executive Session may follow. AMENDED.

Public Hearing to be held on: SB 836

**HOUSE CALENDAR**

FIFTY-SEVENTH DAY, TUESDAY, APRIL 23, 2002

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 47 - Willoughby

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Campbell
- 2 HB 1090 - Reynolds
- 3 HB 1508 - Koller

- 4 HB 1350 - Liese
- 5 HCS HB 1656 - Wright
- 6 HCS HB 1216 - Johnson (61)
- 7 HB 1627 - Kreider
- 8 HCS HB 1886 - Rizzo
- 9 HB 1307 - Williams
- 10 HB 1988 - Kelly (144)
- 11 HCS HB 1868 - Barry
- 12 HB 2160 - Britt
- 13 HCS HB 1650 - Hoppe
- 14 HB 1916 - Franklin
- 15 HCS HB 1231 - Harding
- 16 HB 2097 - Copenhaver
- 17 HCS HB 1318 - George
- 18 HCS HB 1777 - Johnson (61)
- 19 HCS HB 1576 - Hilgemann
- 20 HCS HB 1914 - Mays (50)

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

#### **HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

HCR 4, (4-18-02) - Boucher

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HJR 32 - Barry
- 2 HJR 28 - Villa
- 3 HCS HJR 51 - Whorton

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1460, (Fiscal Review 4-17-02) - Hilgemann
- 3 HS HCS HB 1962, (Fiscal Review 4-18-02) - Monaco
- 4 HCS HB 1143, (Fiscal Review 4-18-02) - Rizzo
- 5 HB 1726, (Fiscal Review 4-22-02) - Walton
- 6 HCS HB 1717, (Fiscal Review 4-22-02) - Foley
- 7 HCS HB 1695, (Fiscal Review 4-22-02) - Selby
- 8 HS HCS HB 1936 - Shoemyer (9)

**HOUSE BILL FOR THIRD READING - REVISION**

HB 2078 - Clayton

**HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL**

- 1 HB 1872 - Hosmer
- 2 HB 2155 - Willoughby

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 892
- 2 SS SCS SB 900

**SENATE BILLS FOR THIRD READING - CONSENT**

SCS SB 988 - Hartzler

(April 16, 2002)

- 1 HCS SCS SB 645 - Relford
- 2 HCS SB 992 - Rizzo
- 3 SB 1124 - Gambaro
- 4 SCS SB 804 - Sanders Brooks
- 5 SB 639 - Williams
- 6 HCS SCS SB 776 - Harlan
- 7 HCS SCS SB 1113 - Farnen
- 8 SCS SB 997 - Willoughby
- 9 HCS SB 1012 - Lawson
- 10 HCS SB 795 - Treadway
- 11 HCS SCS SB 1086 & 1126 - Hoppe
- 12 HCS SB 786 - Campbell
- 13 SCS SB 1132 - Daus
- 14 HCS SB 1244 - Barry
- 15 HCS SB 961 - Curls
- 16 SB 708 - Lawson
- 17 SB 701 - Lowe
- 18 SB 742 - Monaco
- 19 HCS SB 749 - Monaco
- 20 HCS SB 1213 - Hosmer
- 21 HCS SCS SB 1210 - Lawson
- 22 SB 1247 - Willoughby
- 23 SB 1001 - Crump
- 24 HCS SB 1078 - Hoppe
- 25 SB 941 - Mays (50)

- 26 HCS SB 695 - Barry
- 27 HCS SB 962 - Jolly
- 28 HCS SB 1119 - Kelly (27)
- 29 SB 1217 - Boykins
- 30 SCS SB 967 - Hagan-Harrell
- 31 SB 1243 - McKenna
- 32 HCS SCS SB 1212 - Ransdall
- 33 SB 1041, HCAs 1, 2 & 3 - Gratz
- 34 SB 1168, HCA 1 - Gratz
- 35 SB 974 - Koller
- 36 HCS SB 1251 - Monaco
- 37 SCS SB 1163 - Ransdall
- 38 SB 720 - Hoppe
- 39 HCS SB 714 - Barry
- 40 SCS SB 729 - Luetkenhaus
- 41 SB 891 - Rizzo
- 42 HCS SB 932 - Smith
- 43 SCS SB 1015 - Relford
- 44 SCS SB 1071 - Lawson
- 45 HCS SB 1094 - Green (73)
- 46 SB 1048 - Reinhart
- 47 SB 1028 - Luetkemeyer
- 48 SB 812 - Holand
- 49 SB 726 - Gaskill
- 50 SB 865 - Myers
- 51 SCS SB 918 - Linton
- 52 HCS SB 1102 - Hosmer
- 53 SB 1109 - Portwood
- 54 HCS SCS SB 947 - Farnen
- 55 SCS SB 1207 - Holand
- 56 SCS SB 1151 - Myers
- 57 HCS SCS SB 980 - Hunter
- 58 SCS SB 874 - Franklin
- 59 HCS SB 1186 - Hoppe
- 60 SCS SB 1182 - Barry
- 61 HCS SCS SB 1202, E.C. - Koller
- 62 HCS SB 758 - Hosmer
- 63 SCS SB 1024 - Holand
- 64 SB 976 - Portwood
- 65 SS SCS SB 959, E.C. - Rizzo
- 66 SB 644 - Davis
- 67 SCS SB 1241, 1253 & 1189 - Boykins
- 68 SCS SB 966 - Gambaro
- 69 SB 798 - Ross
- 70 SCS SB 745 - Kelly (144)

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- 71 HCS SB 950 - Griesheimer
- 72 SB 1199, HCA 1 - Bearden
- 73 HCS SCS SB 960 - O'Connor
- 74 HCS SCS SB 1093 - Hilgemann
- 75 SB 831 - Gambaro
- 76 HCS SCS SB 957 - Reid
- 77 SCS SB 656 - Luetkenhaus
- 78 HCS SCS SB 737 - Berkowitz

**SENATE BILL FOR THIRD READING**

SB 1220 - O'Toole

**HOUSE RESOLUTIONS**

- 1 HR 341, (3-7-02, Page 518) - Ladd Baker
- 2 HR 281, (4-9-02, Pages 1021 & 1022) - Hampton

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTY-SEVENTH DAY, TUESDAY, APRIL 23, 2002

Speaker Kreider in the Chair.

Prayer by Father David Buescher.

Holy God, ground of our being, You enrich the soil of our lives so that by good deeds, profound thoughts, and compassionate feelings we may produce a harvest of a hundred-fold. Look with caring consideration on these leaders of the varied constituencies of peoples in our state, and encourage them again with a sense of the privilege of their work here, and the knowledge of the significance of their thoughts and decisions.

Help them sense again this day enthusiasm which leads to undertakings well done. They prepare for the people of Missouri a harvest of knowledge, justice, and peace. So may they do their work well today and every day left in this session. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joshua James Johnson, Jordan Janae Johnson, Catherine Luebbert, Zachary Plumb, Kara Rutledge, Jimmy Benoist, Katie Poulin, Kevin Michniok, Mary Campbell, Mary Warner, Sarah Morehead, Lauren Grelle, Gretchen Parmley, Jacob Parmley, Wesly Witt, Jill Steensgard, Crystal Maddolin, Kelly Moncheski, Kelly Rhodes, Monica Durrwachter, Victor Camarillo, Sarah Dovell, Crystall Martinex, Casey Braden, Ashley Wilkins, Alicia Wilkins, Tassi Shafer, Emily Drake, Elizabeth Drake, Julianne Reynolds, Amy Reynolds, Sara Harter and Hannah Moravec.

The Journal of the fifty-sixth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1466	-	Representative Britt
House Resolution No. 1467	-	Representative Crowell
House Resolution No. 1468	-	Representative Vogel
House Resolution No. 1469	-	Representative Long
House Resolution No. 1470	-	Representative Liese
House Resolution No. 1471		
through		
House Resolution No. 1478	-	Representative Naeger
House Resolution No. 1479	-	Representative Reynolds
House Resolution No. 1480	-	Representative Clayton
House Resolution No. 1481	-	Representative Graham, et al

House Resolution No. 1482 - Representative Wagner  
House Resolution No. 1483 - Representative Bartelsmeyer  
House Resolution No. 1484 - Representative Crowell

## **SECOND READING OF SENATE BILLS**

**SCS SB 892** and **SS SCS SB 900** were read the second time.

Representative Green (73) assumed the Chair.

## **PERFECTION OF HOUSE BILL**

**HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700**, relating to crimes and punishment, was taken up by Representative Britt.

Representative Britt offered **HS HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700**.

Representative Willoughby offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

**“565.151. 1. A person twenty-one years of age or older commits the crime of enticement of a child if that person, for the purpose of engaging in conduct with a child which would be criminal conduct under the provisions of section 568.045, 568.050, or 568.060, or chapter 566, RSMo attempts to persuade or persuades whether by words or actions or both or through communication via the Internet or electronic mail, any person who is less than seventeen years of age to:**

**(1) Leave home or school; or**  
**(2) Enter a vehicle, building, structure, alley, or any other secluded area so that the child is concealed from public view.**

**2. Nothing contained in this section shall prevent the lawful detention of a child or the rendering of aid or assistance to a child.**

**3. Enticement of a child is a class D felony unless the person has previously pled guilty to or been found guilty of violating the provisions of this section, section 568.045, 568.050, or 568.060, RSMo, or chapter 566, RSMo, in which case it is a class C felony.”; and**

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Quinn offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Britt raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

Representative Green (73) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.



Representative Jolly offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

“565.081. 1. A person commits the crime of assault of a law enforcement officer **or firefighter** in the first degree if [he] **such person** attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer **or firefighter**.

2. Assault of a law enforcement officer **or firefighter** in the first degree is a class A felony.

565.082. 1. A person commits the crime of assault of a law enforcement officer **or firefighter** in the second degree if [he] **such person**:

(1) [Attempts to cause or] Knowingly causes **or attempts to cause** physical injury to a law enforcement officer **or firefighter**, knowing that such individual is a law enforcement officer **or firefighter**, by means of a deadly weapon or dangerous instrument:

(a) While attempting to prevent a law enforcement officer or firefighter from performing his or her official duties while such law enforcement officer or firefighter is engaged in the execution of his or her official duties; or

(b) In retaliation upon such law enforcement officer or firefighter for performing his or her official duties;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer or firefighter while brandishing a deadly weapon, dangerous instrument, or any device manufactured, designed, or fashioned in such a manner as to be substantially similar in appearance to a firearm:

(a) While attempting to prevent a law enforcement officer or firefighter from performing his or her official duties while such law enforcement officer or firefighter is engaged in the execution of his or her official duties; or

(b) In retaliation upon such law enforcement officer or firefighter for performing his or her official duties;

(3) Knowingly causes or attempts to cause physical injury to a law enforcement officer or firefighter while the offender is hooded, robed, or masked in such a manner as to conceal his or her identity:

(a) While attempting to prevent a law enforcement officer or firefighter from performing his or her official duties while such law enforcement officer or firefighter is engaged in the execution of his or her official duties; or

(b) In retaliation upon such law enforcement officer or firefighter for performing his or her official duties;

(4) Knowingly causes or attempts to cause physical injury to a law enforcement officer or firefighter, knowing that such individual is a law enforcement officer or firefighter:

(a) While attempting to prevent a law enforcement officer or firefighter from performing his or her official duties while such law enforcement officer or firefighter is engaged in the execution of his or her official duties; or

(b) In retaliation upon such law enforcement officer or firefighter for performing his or her official duties;

[(2)] (5) Recklessly causes serious physical injury to a law enforcement officer[;] **or firefighter**:

(a) While attempting to prevent a law enforcement officer or firefighter from performing his or her official duties while such law enforcement officer or firefighter is engaged in the execution of his or her official duties; or

(b) In retaliation upon such law enforcement officer or firefighter for performing his or her official duties;

(6) Recklessly engages in conduct which creates a substantial risk of death or serious physical injury to a law enforcement officer or firefighter:

(a) While attempting to prevent a law enforcement officer or firefighter from performing his or her official duties while such law enforcement officer or firefighter is engaged in the execution of his or her official duties; or

(b) In retaliation upon such law enforcement officer or firefighter for performing his or her official

**duties;**

[(3)] (7) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer **or firefighter**;

(8) **Acts with criminal negligence to cause physical injury to a law enforcement officer or firefighter by means of a deadly weapon:**

(a) **While attempting to prevent a law enforcement officer or firefighter from performing his or her official duties while such law enforcement officer or firefighter is engaged in the execution of his or her official duties; or**

(b) **In retaliation upon such law enforcement officer or firefighter for performing his or her official duties;**

(9) **Knowingly places a law enforcement officer or firefighter in apprehension of immediate serious physical injury, knowing that such individual is a law enforcement officer or firefighter:**

(a) **While attempting to prevent a law enforcement officer or firefighter from performing his or her official duties while such law enforcement officer or firefighter is engaged in the execution of his or her official duties; or**

(b) **In retaliation upon such law enforcement officer or firefighter for performing his or her official duties.**

2. Assault of a law enforcement officer **or firefighter** in the second degree is a class [B] C felony **unless committed pursuant to subdivision (1), (5), or (7) of subsection 1 of this section in which case it is a class B felony.**

565.083. 1. A person commits the crime of assault of a law enforcement officer **or firefighter** in the third degree if:

(1) He attempts to cause or recklessly causes physical injury to a law enforcement officer **or firefighter**;

(2) [With criminal negligence he causes physical injury to a law enforcement officer by means of a deadly weapon;

(3)] He purposely places a law enforcement officer **or firefighter** in apprehension of immediate physical injury;

[(4) He recklessly engages in conduct which creates a grave risk of death or serious physical injury to a law enforcement officer; or

(5)] (3) He knowingly causes or attempts to cause physical contact with a law enforcement officer **or firefighter** without the consent of the law enforcement officer **or firefighter**.

2. Assault of a law enforcement officer **or firefighter** in the third degree is a class A misdemeanor.”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Jolly, **House Amendment No. 1** was adopted.

Representative O'Toole offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate locations the following sections:

"44.023. 1. The Missouri state emergency management agency shall establish and administer an emergency volunteer program to be activated in the event of [an earthquake or other natural] a disaster whereby volunteer architects and professional engineers registered under chapter 327, RSMo, and construction contractors, equipment dealers and other owners and operators of construction equipment may volunteer the use of their services and equipment, either manned or unmanned, for up to three days as requested and needed by the state emergency management agency.

2. In the event of [an earthquake or other natural] a disaster, the enrolled volunteers shall, where needed, assist local jurisdictions and local building inspectors to provide essential demolition, cleanup or other related services and to determine whether buildings affected by [an earthquake or other natural] a disaster:

- (1) Have not sustained serious damage and may be occupied;
- (2) Must be vacated temporarily pending repairs; or

(3) Must be demolished in order to avoid hazards to occupants or other persons.

3. Any person when utilized as a volunteer under the emergency volunteer program shall have his incidental expenses paid by the local jurisdiction for which the volunteer service is provided.

4. Architects and professional engineers, construction contractors, equipment dealers and other owners and operators of construction equipment and the companies with which they are employed, working under the emergency volunteer program shall not be personally liable either jointly or separately for any act or acts committed in the performance of their official duties as emergency volunteers except in the case of willful misconduct or gross negligence.

5. Any individuals, employers, partnerships, corporations or proprietorships, that are working under the emergency volunteer program providing demolition, cleanup, removal or other related services, shall not be liable for any acts committed in the performance of their official duties as emergency volunteers except in the case of willful misconduct or gross negligence.

**304.370. 1. For purposes of this section, "hazardous materials" shall be as defined pursuant to Part 397, Title 49, Code of Federal Regulations, as adopted and amended.**

**2. No person shall transport hazardous materials in or through any highway tunnel in this state.**

**3. No person shall park a vehicle containing hazardous materials within three hundred feet of any highway tunnel in this state except as provided pursuant to Part 397, Title 49, Code of Federal Regulations, as adopted and amended.**

**4. Any person who is found or pleads guilty to a violation of this section shall be guilty of a class B misdemeanor. Any person who is found or pleads guilty to a second or subsequent violation of this section shall be guilty of a class A misdemeanor. Violations of this section shall be enforced pursuant to section 390.201, RSMo.**

306.124. 1. (1) "Aids to navigation" means buoys, beacons or other fixed objects in the water which are used to mark obstructions to navigation or to direct navigation through safe channels.

(2) "Regulatory markers" means any anchored or fixed markers in or on the water or signs on the shore or on bridges over the water other than aids to navigation and shall include but not be limited to bathing markers, speed zone markers, information markers, danger zone markers, boat keep-out areas, and mooring buoys.

2. The Missouri state water patrol after a public hearing pursuant to notice thereof published not less than ten days prior thereto in each county to be affected may provide for the uniform marking of the water areas in this state through the placement of aids to navigation and regulatory markers. The Missouri state water patrol shall establish a marking system compatible with the system of aids to navigation prescribed by the United States Coast Guard. No city, county, or person shall mark or obstruct the water of this state in any manner so as to endanger the operation of watercraft or conflict with the marking system prescribed by the state water patrol.

**3. Whenever, due to any actual or imminent man-made or natural disaster, the navigation or use of any waters of this state presents an unreasonable danger to persons or property, the Missouri state water patrol may, with the consent of the director of the department of public safety, close such waters by the placement of regulatory markers.**

[3.] **4.** The operation of any watercraft within prohibited areas that are marked shall be prima facie evidence of negligent operation.

[4.] **5.** It shall be unlawful for any person to operate a watercraft on the waters of this state in a manner other than that prescribed or permitted by regulatory markers.

[5.] **6.** No person shall moor or fasten a watercraft to or willfully damage, tamper, remove, obstruct, or interfere with any aid to navigation or regulatory marker established pursuant to sections 306.010 to 306.126.

307.177. 1. It is unlawful for any person to operate any bus, truck, truck-tractor and trailer combination, or other commercial motor vehicle and trailer upon any highway of this state, whether intrastate transportation or interstate transportation, transporting materials defined and classified as hazardous by the United States Department of Transportation pursuant to Title 49 of the Code of Federal Regulations, as such regulations have been and may periodically be amended, unless such vehicle is equipped with the equipment required by and be operated in accordance with safety and hazardous materials regulations for such vehicles as adopted by the United States Department of Transportation.

2. Notwithstanding the provisions of subsection 1 of this section to the contrary, Part 391, Subpart E, Title 49, Code of Federal Regulations, relating to the physical requirements of drivers shall not be applicable to drivers in intrastate commerce, provided such drivers were licensed by this state as chauffeurs to operate commercial motor vehicles on May 13, 1988.

3. Failure to comply with the requirements of this section may result in the commercial motor vehicle and trailer and driver of such vehicle and trailer being placed out of service. Criteria used for placing drivers and vehicles out of service are the North American Uniform Out-of-Service Criteria adopted by the Commercial Vehicle Safety Alliance and the United States Department of Transportation, as such criteria have been and may periodically be amended.

**4. Violation of this section shall be deemed a class A misdemeanor.**

407.472. 1. When it appears to the attorney general that a person has engaged in, is engaging in or is about to engage in any method, use, act or practice declared to be unlawful by sections 407.450 to 407.478, **or when it appears that any funds solicited by or on behalf of any charitable organization are being used, or are about to be used, for an unlawful purpose**, or when he **or she** believes it to be in the public interest that an investigation should be made to ascertain whether a person in fact has engaged in, is engaging in, or is about to engage in any such act or practice he **or she** may issue and cause to be served a civil investigative demand to assist in the investigation of the matter. The issuance and enforcement of each civil investigative demand shall be in compliance with all of the terms and provisions of sections 407.040 to 407.090.

2. Whenever it appears to the attorney general that a person has engaged in, is engaging in, or is about to engage in any method, use, act, or practice declared to be unlawful by sections 407.450 to 407.478, **or when it appears that any funds solicited by or on behalf of any charitable organization are being used, or are about to be used, for an unlawful purpose**, he **or she** may bring an action pursuant to section 407.100 for an injunction prohibiting such person from continuing such methods, uses, acts, or practices, or engaging therein, or doing anything in furtherance thereof. In any action brought by the attorney general [under] **pursuant to** this subsection all of the provisions of sections 407.100 to 407.140 shall apply thereto.

**407.760. 1. For the purpose of this section and section 407.762, the definitions set forth in section 407.010 shall apply, and in addition the following terms shall mean:**

(1) "Consumer market disruption", an actual change in the market for essential consumer merchandise due to stress of weather, convulsion of nature, failure, strike, civil disorder, war, act of terrorism, or military action and officially declared as a statewide emergency or disaster. The term consumer market disruption shall not include statewide emergencies or disasters declared by an executive order to access the rainy day fund, to balance the state budget, or any similar emergency or disaster;

(2) "Essential consumer merchandise", merchandise used, bought or rendered primarily for personal or business purposes and essential to the health, safety or welfare of consumers.

**407.762. 1. It shall be unlawful for any person to exercise unfair leverage when selling essential consumer merchandise during a consumer market disruption.**

2. Whether a sale constitutes an exercise of unfair leverage is a matter of law for the court to determine.

3. Any of the following may be offered as evidence of the exercise of unfair leverage:

(1) A gross disparity between the price at which the seller sold the essential consumer merchandise and the seller's price for any similar sale made in the usual course of business immediately before the onset of the consumer market disruption; or

(2) A gross disparity between the price at which the seller sold the essential consumer merchandise and the price at which the same or comparable essential consumer merchandise was readily available to consumers in the trade area at the time of the sale.

4. A seller may rebut an allegation of exercising unfair leverage with evidence that the seller did not exercise unfair leverage, including but not limited to evidence that any gross disparity in price was justified by a corresponding gross disparity in costs imposed on the seller and not within the seller's control.

5. A person who violates this section may be liable for:

(1) Restitution to any consumer against whom the person exercised unfair leverage in violation of this section; and

(2) A civil penalty to the state of Missouri in an amount not to exceed the greater of three thousand dollars or twice the amount gained unlawfully in violation of this section.

6. Only the attorney general shall have authority to commence a civil action for a violation of this section.

569.072. 1. A person commits the crime of criminal water contamination if such person knowingly introduces any dangerous radiological, chemical or biological agent or substance into any public or private waters of the state or any water supply with the purpose of causing death or serious physical injury to another person.

2. Criminal water contamination is a class B felony.

570.030. 1. A person commits the crime of stealing if he or she appropriates property or services of another with

the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion.

2. Evidence of the following is admissible in any criminal prosecution [under] **pursuant to** this section on the issue of the requisite knowledge or belief of the alleged stealer:

- (1) That he or she failed or refused to pay for property or services of a hotel, restaurant, inn or boardinghouse;
- (2) That he or she gave in payment for property or services of a hotel, restaurant, inn or boardinghouse a check or negotiable paper on which payment was refused;
- (3) That he or she left the hotel, restaurant, inn or boardinghouse with the intent to not pay for property or services;
- (4) That he or she surreptitiously removed or attempted to remove his or her baggage from a hotel, inn or boardinghouse.

3. Stealing is a class C felony if:

- (1) The value of the property or services appropriated is seven hundred fifty dollars or more; or
- (2) The actor physically takes the property appropriated from the person of the victim; or
- (3) The property appropriated consists of:
  - (a) Any motor vehicle, watercraft or aircraft; or
  - (b) Any will or unrecorded deed affecting real property; or
  - (c) Any credit card or letter of credit; or
  - (d) Any firearms; or
  - (e) A United States national flag designed, intended and used for display on buildings or stationary flagstaffs in the open; or
  - (f) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature of the state of Missouri; or
  - (g) Any pleading, notice, judgment or any other record or entry of any court of this state, any other state or of the United States; or
  - (h) Any book of registration or list of voters required by chapter 115, RSMo; or
  - (i) Any animal of the species of horse, mule, ass, cattle, swine, sheep, or goat; or
  - (j) Live fish raised for commercial sale with a value of seventy-five dollars; or
  - (k) Any controlled substance as defined by section 195.010, RSMo; **or**
  - (l) Ammonium nitrate.**

4. If an actor appropriates any material with a value less than one hundred fifty dollars in violation of this section with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues, then such violation is a class D felony. The theft of any amount of anhydrous ammonia or liquid nitrogen, or any attempt to steal any amount of anhydrous ammonia or liquid nitrogen, is a class C felony. The theft of any amount of anhydrous ammonia by appropriation of a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator is a class A felony.

5. The theft of any item of property or services [under] **pursuant to** subsection 3 of this section which exceeds seven hundred fifty dollars may be considered a separate felony and may be charged in separate counts.

6. Any person with a prior conviction of paragraph (i) of subdivision (3) of subsection 3 of this section and who violates the provisions of paragraph (i) of subdivision (3) of subsection 3 of this section when the value of the animal or animals stolen exceeds three thousand dollars is guilty of a class B felony.

7. Any violation of this section for which no other penalty is specified in this section is a class A misdemeanor.

571.020. 1. A person commits a crime if [he] **such person** knowingly possesses, manufactures, transports, repairs, or sells:

- (1) An explosive weapon;
- (2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;**
- [(2)] **(3)** A machine gun;
- [(3)] **(4)** A gas gun;
- [(4)] **(5)** A short barreled rifle or shotgun;
- [(5)] **(6)** A firearm silencer;
- [(6)] **(7)** A switchblade knife;
- [(7)] **(8)** A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; or
- [(8)] **(9)** Knuckles.

2. A person does not commit a crime [under] **pursuant to** this section if his conduct:

(1) Was incident to the performance of official duty by the armed forces, national guard, a governmental law enforcement agency, or a penal institution; or

(2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subdivision (1) of this section; or

(3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or

(4) Was incident to displaying the weapon in a public museum or exhibition; or

(5) Was incident to dealing with the weapon solely as a curio, ornament, or keepsake, or to using it in a manner reasonably related to a lawful dramatic performance; but if the weapon is a type described in subdivision (1), [(3) or (5)] **(4) or (6)** of subsection 1 of this section it must be in such a nonfunctioning condition that it cannot readily be made operable. No short barreled rifle, short barreled shotgun, or machine gun may be possessed, manufactured, transported, repaired or sold as a curio, ornament, or keepsake, unless such person is an importer, manufacturer, dealer, or collector licensed by the Secretary of the Treasury pursuant to the Gun Control Act of 1968, U.S.C., Title 18, or unless such firearm is an "antique firearm" as defined in subsection 3 of section 571.080, or unless such firearm has been designated a "collectors item" by the Secretary of the Treasury pursuant to the U.S.C., Title 26, Section 5845 (a).

3. A crime [under] **pursuant to** subdivision (1), (2), (3), (4) [or], (5) **or (6)** of subsection 1 of this section is a class C felony; a crime [under] **pursuant to** subdivision [(6),] (7) [or], (8) or (9) of subsection 1 of this section is a class A misdemeanor.

574.115. 1. A person commits the crime of making a [terroristic] **terrorist** threat if such person communicates a threat to [commit a felony,] **cause an incident or condition involving danger to life, communicates** a knowingly false report [concerning the commission of any felony] **of an incident or condition involving danger to life, or** knowingly [false report concerning the occurrence of any catastrophe] **causes a false belief or fear that an incident has occurred or that a condition exists involving danger to life:**

(1) [For] **With** the purpose of frightening [or disturbing] ten or more people;

(2) [For] **With** the purpose of causing the evacuation, **quarantine** or closure of any **portion of a building, inhabitable structure, place of assembly or facility of transportation;** or

(3) With reckless disregard of the risk of causing the evacuation, **quarantine** or closure of any **portion of a building, inhabitable structure, place of assembly or facility of transportation;** **or**

(4) **With criminal negligence with regard to the risk of causing the evacuation, quarantine or closure of any portion of a building, inhabitable structure, place of assembly or facility of transportation.**

2. Making a [terroristic] **terrorist** threat is a class C felony unless committed under subdivision (3) of subsection 1 of this section in which case it is a class D felony **or unless committed under subdivision (4) of subsection 1 of this section in which case it is a class A misdemeanor.**

3. [As used in this section:

(1) The term "threat" means an express or implied threat but does not include a report made in good faith for the purpose of preventing harm; and

(2) The term "catastrophe" is defined by section 569.070, RSMo] **For the purpose of this section, "threat" includes an express or implied threat.**

4. **A person who acts in good faith with the purpose to prevent harm does not commit a crime pursuant to this section.**

576.080. 1. A person commits the crime of supporting terrorism if such person knowingly provides material support to any organization designated as a foreign terrorist organization pursuant to 8 U.S.C. 1189, as amended and acts recklessly with regard to whether such organization had been designated as a foreign terrorist organization pursuant to 8 U.S.C. 1189.

2. For the purpose of this section, "material support" includes currency or other financial securities, financial services, lodging, training, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation and other physical assets, except medicine or religious materials.

3. **Supporting terrorism is a class C felony.**

578.008. 1. A person commits the crime of [spreading disease to livestock or animals] **agroterrorism** if [that] **such** person purposely spreads any type of contagious, communicable or infectious disease among **crops, poultry, livestock** as defined in section 267.565, RSMo, or other animals.

2. [Spreading disease to livestock or animals] **Agroterrorism** is a class D felony unless the damage to **crops,**

**poultry**, livestock or animals is ten million dollars or more in which case it is a class B felony.

3. It shall be a defense to the crime of [spreading disease to livestock or animals] **agrorterrorism** if such spreading is consistent with medically recognized therapeutic procedures **or done in the course of legitimate, professional scientific research.**

Section B. Because of the immediate need for state emergency powers this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative O'Toole, **House Amendment No. 2** was adopted.

Representative Kelly (27) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

"595.010 1. As used in sections 595.010 to 595.075, unless the context requires otherwise, the following terms shall mean:

(1) "Child", a dependent, unmarried person who is under eighteen years of age and includes a posthumous child, stepchild, or an adopted child;

(2) "Claimant", a victim or a dependent, relative, survivor, or member of the family, of a victim eligible for compensation pursuant to sections 595.010 to 595.075;

(3) "Conservator", a person or corporation appointed by a court to have the care and custody of the estate of a minor or a disabled person, including a limited conservator;

(4) "Counseling", problem-solving and support concerning emotional issues that result from criminal victimization licensed pursuant to section 595.030. Counseling is a confidential service provided either on an individual basis or in a group. Counseling has as a primary purpose to enhance, protect and restore a person's sense of well-being and social functioning after victimization. Counseling does not include victim advocacy services such as crisis telephone counseling, attendance at medical procedures, law enforcement interviews or criminal justice proceedings;

(5) "Crime", an act committed in this state which, if committed by a mentally competent, criminally responsible person who had no legal exemption or defense, would constitute a crime; provided that, such act involves the application of force or violence or the threat of force or violence by the offender upon the victim but shall include the crime of driving while intoxicated, vehicular manslaughter and hit and run; and provided, further, that no act involving the operation of a motor vehicle except driving while intoxicated, vehicular manslaughter and hit and run which results in injury to another shall constitute a crime for the purpose of sections 595.010 to 595.075, unless such injury was intentionally inflicted through the use of a motor vehicle. A crime shall also include an act of terrorism, as defined in 18 U.S.C. section 2331, which has been committed outside of the United States against a resident of Missouri;

(6) "Crisis intervention counseling", helping to reduce psychological trauma where victimization occurs;

(7) "Department", the department of public safety;

(8) "Dependent", mother, father, spouse, spouse's mother, spouse's father, child, grandchild, adopted child, illegitimate child, niece or nephew, who is wholly or partially dependent for support upon[, and living with, but shall include children entitled to child support but not living with,] the victim at the time of his injury or death due to a crime alleged in a claim pursuant to sections 595.010 to 595.070;

(9) "Direct service", providing physical services to a victim of crime including, but not limited to, transportation, funeral arrangements, child care, emergency food, clothing, shelter, notification and information;

(10) "Director", the director of public safety of this state or a person designated by him for the purposes of sections 595.010 to 595.070;

(11) "Disabled person", one who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks ability to manage his financial resources, including a partially disabled person who lacks the ability, in part, to manage his financial resources;

- (12) "Division", the division of workers' compensation of the state of Missouri;
- (13) "Emergency service", those services provided within thirty days to alleviate the immediate effects of the criminal act or offense, and may include cash grants of not more than one hundred dollars;
- (14) "Earnings", net income or net wages;
- (15) "Family", the spouse, parent, grandparent, stepmother, stepfather, child, grandchild, brother, sister, half brother, half sister, adopted children of parent, or spouse's parents;
- (16) "Funeral expenses", the expenses of the funeral, burial, cremation or other chosen method of interment, including plot or tomb and other necessary incidents to the disposition of the remains;
- (17) "Gainful employment", engaging on a regular and continuous basis, up to the date of the incident upon which the claim is based, in a lawful activity from which a person derives a livelihood;
- (18) "Guardian", one appointed by a court to have the care and custody of the person of a minor or of an incapacitated person, including a limited guardian;
- (19) "Hit and run", the crime of leaving the scene of a motor vehicle accident as defined in section 577.060, RSMo;
- (20) "Incapacitated person", one who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that he lacks capacity to meet essential requirements for food, clothing, shelter, safety or other care such that serious physical injury, illness, or disease is likely to occur, including a partially incapacitated person who lacks the capacity to meet, in part, such essential requirements;
- (21) "Injured victim", a person:
  - (a) Killed or receiving a personal physical injury in this state as a result of another person's commission of or attempt to commit any crime;
  - (b) Killed or receiving a personal physical injury in this state while in a good faith attempt to assist a person against whom a crime is being perpetrated or attempted;
  - (c) Killed or receiving a personal physical injury in this state while assisting a law enforcement officer in the apprehension of a person who the officer has reason to believe has perpetrated or attempted a crime;
- (22) "Law enforcement official", a sheriff and his regular deputies, municipal police officer or member of the Missouri state highway patrol and such other persons as may be designated by law as peace officers;
- (23) "Offender", a person who commits a crime;
- (24) "Personal physical injury", actual bodily harm only with respect to the victim. Personal physical injury may include mental or nervous shock resulting from the specific incident upon which the claim is based;
- (25) "Private agency", a not-for-profit corporation, in good standing in this state, which provides services to victims of crime and their dependents;
- (26) "Public agency", a part of any local or state government organization which provides services to victims of crime;
- (27) "Relative", the spouse of the victim or a person related to the victim within the third degree of consanguinity or affinity as calculated according to civil law;
- (28) "Survivor", the spouse, parent, legal guardian, grandparent, sibling or child of the deceased victim [of the victim's household] at the time of the crime;
- (29) "Victim", a person who suffers personal physical injury or death as a direct result of a crime, as defined in subdivision (5) of this subsection\*;
- (30) "Victim advocacy", assisting the victim of a crime and his dependents to acquire services from existing community resources.

2. As used in sections 565.024 and 565.060, RSMo, and sections 595.010 to 595.075, the term "alcohol-related traffic offense" means those offenses defined by sections 577.001, 577.010, and 577.012, RSMo, and any county or municipal ordinance which prohibits operation of a motor vehicle while under the influence of alcohol.

595.020. 1. Except as hereinafter provided, the following persons shall be eligible for compensation pursuant to sections 595.010 to 595.075:

- (1) A victim of a crime;
- (2) In the case of a sexual assault victim[
  - (a)] a relative of the victim requiring counseling in order to better assist the victim in his recovery; and
- (3) In the case of the death of the victim as a direct result of the crime:
  - (a) A dependent of the victim;
  - (b) Any member of the family who legally assumes the obligation, or who pays the medical or burial expenses incurred as a direct result thereof; and



(c) A survivor of the victim requiring counseling as a direct result of the death of the victim.

2. An offender or an accomplice of an offender shall in no case be eligible to receive compensation with respect to a crime committed by the offender. No victim or dependent shall be denied compensation solely because he is a relative of the offender or was living with the offender as a family or household member at the time of the injury or death. However, the division may award compensation to a victim or dependent who is a relative, family or household member of the offender only if the division can reasonably determine the offender will receive no substantial economic benefit or unjust enrichment from the compensation.

3. No compensation of any kind may be made to a victim or intervenor injured while confined in any federal, state, county, or municipal jail, prison or other correctional facility, including house arrest.

4. No compensation of any kind may be made to a victim who has been finally adjudicated and found guilty, in a criminal prosecution under the laws of this state, of two felonies within the past ten years, of which one or both involves illegal drugs or violence. The division may waive this restriction if it determines that the interest of justice would be served otherwise.

5. In the case of a claimant who is not otherwise ineligible pursuant to subsection 4 of this section, who is incarcerated as a result of a conviction of a crime not related to the incident upon which the claim is based at the time of application, or at any time following the filing of the application:

(1) The division shall suspend all proceedings and payments until such time as the claimant is released from incarceration;

(2) The division shall notify the applicant at the time the proceedings are suspended of the right to reactivate the claim within six months of release from incarceration. The notice shall be deemed sufficient if mailed to the applicant at the applicant's last known address;

(3) The claimant shall file an application to request that the case be reactivated not later than six months after the date the claimant is released from incarceration. Failure to file such request within the six-month period shall serve as a bar to any recovery.

6. Victims of crime who are not residents of the state of Missouri may be compensated only when federal funds are available for that purpose. Compensation for nonresident victims shall terminate when federal funds for that purpose are no longer available.

7. A Missouri resident who suffers personal physical injury or, in the case of death, a dependent of the victim or any member of the family who legally assumes the obligation, or who pays the medical or burial expenses incurred as a direct result thereof, in another state, possession or territory of the United States may make application for compensation in Missouri if:

(1) The victim of the crime would be compensated if the crime had occurred in the state of Missouri;

(2) The place that the crime occurred is a state, possession or territory of the United States, or location outside of the United States that is covered and defined in 18 U.S.C. section 2331, that does not have a crime victims' compensation program for which the victim is eligible and which provides at least the same compensation that the victim would have received if he had been injured in Missouri.

**8. Notwithstanding any other provision of law to the contrary, it is not necessary for any claimant to be living with or have been living with the victim in order to be eligible to receive compensation.**

595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost [two continuous weeks of] earnings or support from gainful employment. "Out-of-pocket loss" shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred for medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars.

2. No compensation shall be paid unless the division of workers' compensation finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the division of workers' compensation finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the division of family services personnel; or by any other member of the victim's family.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or

the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334, RSMo, or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337, RSMo, or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337, RSMo; or

(4) Professional counselor licensed pursuant to chapter 337, RSMo.

5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed [two] **four** hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed [five] **seven** thousand **five hundred** dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed [two] **four** hundred dollars per week; provided, however, that no award pursuant to sections 595.010 to 595.075 shall exceed twenty-five thousand dollars. If two or more persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the division of workers' compensation among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation pursuant to sections 595.010 to 595.075 shall be determined by the division."; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Kelly (27), **House Amendment No. 3** was adopted.

Representative Burton offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, Section 650.055, Page 101, Lines 22 through 24, by deleting all of said lines after the number "5" on Line 22; and

Further amend said bill, Section 650.055, Page 102, Lines 1 through 5, by deleting all of said lines; and

Further amend said bill, Section 650.055, Page 102, Line 6, by deleting the number "6" on said line; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Burton, **House Amendment No. 4** was adopted.

Representative Willoughby offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

**"565.151. 1. A person twenty-one years of age or older commits the crime of enticement of a child if that person, for the purpose of engaging in conduct with a child which would be criminal conduct under the provisions of section 568.045, 568.050, or 568.060, or chapter 566, RSMo attempts to persuade or persuades**

whether by words or actions or both or through communication via the Internet or electronic communication, any person who is less than seventeen years of age to:

(1) Leave home or school; or  
(2) Enter a vehicle, building, structure, alley, or any other secluded area so that the child is concealed from public view.

2. Nothing contained in this section shall prevent the lawful detention of a child or the rendering of aid or assistance to a child.

3. It is not an affirmative defense to a prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.

4. Enticement of a child is a class D felony unless the person has previously pled guilty to or been found guilty of violating the provisions of this section, section 568.045, 568.050, or 568.060, RSMo, or chapter 566, RSMo, in which case it is a class C felony.”; and

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Clayton assumed the Chair.

On motion of Representative Willoughby, **House Amendment No. 5** was adopted.

Representative Portwood offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, Page 24, Section 302.530, Line 24, by inserting after all of said line the following:

"316.150. As used in sections 316.150 to 316.185, the following terms mean:

(1) "County", any county of this state except a [county having a charter form of government and having a population of nine hundred thousand inhabitants or more and no] city not within a county which exercises county functions;

(2) "County clerk", the clerk of the county commission or governing body of a county;

(3) "Festival", any music festival, dance festival, "rock" festival, "**rave**", or similar musical activity likely to attract five [thousand] **hundred** or more people at such an activity which will continue uninterrupted for a period of twelve hours or more, at which music is provided by paid or amateur performers or by prerecorded means, and which is held at any place within this state, and to which members of the public are invited or admitted for a charge. It shall not include a county fair or youth fair approved by the Missouri department of agriculture, or any activity conducted by any current or future ongoing licensed business in a permanent location[.];

(4) "**Rave**", **an all-night dance party, especially one where techno, house, or other electronically synthesized music is played;**

(5) "Sheriff", the sheriff of any county in this state.

316.155. No person shall operate, maintain, conduct, advertise, or sell, or furnish tickets for a festival in any county in this state unless [he] **such person** first obtains a license from that county to operate, maintain, or conduct the festival. This provision shall not apply to [counties of the first class having a charter form of government and having a population of nine hundred thousand inhabitants or more and no] **any** city not within a county which exercises county functions.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 6** was adopted.

Representative Legan offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting the following in the appropriate location:

"578.405. 1. Sections 578.405 to 578.412 shall be known and may be cited as "The Animal Research and Production Facilities Protection Act".

2. As used in sections 578.405 to 578.412, the following terms mean:

(1) "Animal", every living creature, domestic or wild, but not including *Homo sapiens*;

(2) "Animal facility", any facility, **animal farming operation, business or organization** engaging in legal scientific research or agricultural production or involving the use of animals, including any organization with a primary purpose of representing livestock production or processing, any organization with a primary purpose of promoting or marketing livestock or livestock products, any person licensed to practice veterinary medicine, any organization involved in the production of pet food or pet food research, and any organization with a primary purpose of representing any such person, organization, or institution. The term shall include the owner, operator, and employees of any animal facility [and], the offices [and], **barns, buildings, or other structures, the vehicles of any such persons while engaged in duties related to the animal facility, and any premises, private or public property, where animals are located, including but not limited to the barns or areas where the animals are pastured, housed, or otherwise quartered;**

(3) "Director", the director of the department of agriculture.

578.407. No person shall:

(1) Release, steal, or otherwise intentionally cause the death, injury, or loss of any animal at or from an animal facility and not authorized by that facility;

(2) Damage, vandalize, or steal any property in or on an animal facility;

(3) Obtain access to an animal facility by false pretenses for the purpose of performing acts not authorized by the facility;

(4) Enter or otherwise interfere with an animal facility with the intent to destroy, alter, duplicate or obtain unauthorized possession of records, data, material, equipment, or animals;

(5) Knowingly obtain, by theft or deception, control over records, data, material, equipment, or animals of any animal facility for the purpose of depriving the rightful owner or animal facility of the records, material, data, equipment, or animals, or for the purpose of concealing, abandoning, or destroying such records, material, data, equipment, or animals;

(6) Enter or remain on an animal facility with the intent to commit an act prohibited by this section;

(7) **Photograph, videotape, or otherwise obtain images from within the animal facility without the express written consent of the animal facility;**

(8) **Intentionally or knowingly release or introduce any pathogen or disease in or near an animal facility that has the potential to cause disease in any animal at the animal facility or which otherwise threatens human health or biosecurity at the animal facility.**

578.409. 1. Any person who violates section 578.407:

(1) Shall be guilty of a misdemeanor for each such violation unless the loss, theft, or damage to the animal facility exceeds three hundred dollars in value;

(2) Shall be guilty of a class D felony **for a violation of subdivision (7) of section 578.407** or if the loss, theft, or damage to the animal facility property exceeds three hundred dollars in value but does not exceed ten thousand dollars in value;

(3) Shall be guilty of a class C felony if the loss, theft, or damage to the animal facility property exceeds ten thousand dollars in value but does not exceed one hundred thousand dollars in value;

(4) Shall be guilty of a class B felony if the loss, theft, or damage to the animal facility exceeds one hundred thousand dollars in value.

2. Any person who intentionally agrees with another person to violate section 578.407 and commits an act in furtherance of such violation shall be guilty of the same class of violation as provided in subsection 1 of this section.

3. In the determination of the value of the loss, theft, or damage to an animal facility, the court shall conduct a hearing to determine the reasonable cost of replacement of materials, data, equipment, animals, and records that were damaged, destroyed, lost, or cannot be returned, as well as the reasonable cost of lost production funds and repeating experimentation that may have been disrupted or invalidated as a result of the violation of section 578.407.

4. Any persons found guilty of a violation of section 578.407 shall be ordered by the court to make restitution,

jointly and severally, to the owner, operator, or both, of the animal facility, in the full amount of the reasonable cost as determined under subsection 3 of this section.

5. Any person who has been damaged by a violation of section 578.407 may recover all actual and consequential damages, punitive damages, and court costs, including reasonable attorneys' fees, from the person causing such damage.

6. Nothing in sections 578.405 to 578.412 shall preclude any animal facility injured in its business or property by a violation of section 578.407 from seeking appropriate relief under any other provision of law or remedy including the issuance of an injunction against any person who violates section 578.407 **including any relief authorized under subsection 5 of this section**. The owner or operator of the animal facility may petition the court to permanently enjoin such persons from violating sections 578.405 to 578.412 and the court shall provide such relief.

578.412. 1. The director shall have the authority to investigate any alleged violation of sections 578.405 to 578.412, along with any other law enforcement agency, and may [take any action within the director's authority necessary for the enforcement of sections 578.405 to 578.412] **initiate civil legal action in the circuit court of the county where the violation occurred**. The attorney general, the highway patrol, and other law enforcement officials shall provide assistance required in the conduct of an investigation.

2. The director may promulgate rules and regulations necessary for the enforcement of sections 578.405 to 578.412. No rule or portion of a rule promulgated under the authority of sections 578.405 to 578.412 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo."; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Legan, **House Amendment No. 7** was adopted.

Representative Jolly offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

**“491.707. 1. In all prosecutions brought under chapter 566, RSMo, sections 565.050, 565.060, and 565.070, RSMo, sections 568.045, 568.050, 568.060, 568.080, and 568.090, RSMo, and sections 573.025 and 573.040, RSMo, the defendant shall be physically excluded from the room in which any and all discovery deposition proceedings are conducted at which a child victim will testify.**

**2. As used in this section "child victim" means any person who is less than seventeen years of age.**

556.061. In this code, unless the context requires a different definition, the following shall apply:

(1) "Affirmative defense" has the meaning specified in section 556.056;

(2) "Burden of injecting the issue" has the meaning specified in section 556.051;

(3) "Commercial film and photographic print processor", any person who develops exposed photographic film into negatives, slides or prints, or who makes prints from negatives or slides, for compensation. The term commercial film and photographic print processor shall include all employees of such persons but shall not include a person who develops film or makes prints for a public agency;

(4) "Confinement":

(a) A person is in confinement when such person is held in a place of confinement pursuant to arrest or order of a court, and remains in confinement until:

a. A court orders the person's release; or

b. The person is released on bail, bond, or recognizance, personal or otherwise; or

c. A public servant having the legal power and duty to confine the person authorizes his release without guard and without condition that he return to confinement;

(b) A person is not in confinement if:

a. The person is on probation or parole, temporary or otherwise; or

b. The person is under sentence to serve a term of confinement which is not continuous, or is serving a sentence under a work-release program, and in either such case is not being held in a place of confinement or is not being held under guard by a person having the legal power and duty to transport the person to or from a place of confinement;

- (5) "Consent": consent or lack of consent may be expressed or implied. Assent does not constitute consent if:
  - (a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or
  - (b) It is given by a person who by reason of youth, mental disease or defect, or intoxication, is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
  - (c) It is induced by force, duress or deception;
- (6) "Criminal negligence" has the meaning specified in section 562.016, RSMo;
- (7) "Custody", a person is in custody when the person has been arrested but has not been delivered to a place of confinement;
- (8) "Dangerous felony" means the felonies of arson in the first degree, assault in the first degree, forcible rape, forcible sodomy, kidnapping, murder in the second degree [and], robbery in the first degree, **statutory rape in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, statutory sodomy in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, and abuse of a child pursuant to subdivision (2) of subsection 3 of section 568.060, RSMo;**
- (9) "Dangerous instrument" means any instrument, article or substance, which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury;
- (10) "Deadly weapon" means any firearm, loaded or unloaded, or any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged, or a switchblade knife, dagger, billy, blackjack or metal knuckles;
- (11) "Felony" has the meaning specified in section 556.016;
- (12) "Forcible compulsion" means either:
  - (a) Physical force that overcomes reasonable resistance; or
  - (b) A threat, express or implied, that places a person in reasonable fear of death, serious physical injury or kidnapping of such person or another person;
- (13) "Incapacitated" means that physical or mental condition, temporary or permanent, in which a person is unconscious, unable to appraise the nature of such person's conduct, or unable to communicate unwillingness to an act. A person is not incapacitated with respect to an act committed upon such person if he or she became unconscious, unable to appraise the nature of such person's conduct or unable to communicate unwillingness to an act, after consenting to the act;
- (14) "Infraction" has the meaning specified in section 556.021;
- (15) "Inhabitable structure" has the meaning specified in section 569.010, RSMo;
- (16) "Knowingly" has the meaning specified in section 562.016, RSMo;
- (17) "Law enforcement officer" means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States;
- (18) "Misdemeanor" has the meaning specified in section 556.016;
- (19) "Offense" means any felony, misdemeanor or infraction;
- (20) "Physical injury" means physical pain, illness, or any impairment of physical condition;
- (21) "Place of confinement" means any building or facility and the grounds thereof wherein a court is legally authorized to order that a person charged with or convicted of a crime be held;
- (22) "Possess" or "possessed" means having actual or constructive possession of an object with knowledge of its presence. A person has actual possession if such person has the object on his or her person or within easy reach and convenient control. A person has constructive possession if such person has the power and the intention at a given time to exercise dominion or control over the object either directly or through another person or persons. Possession may also be sole or joint. If one person alone has possession of an object, possession is sole. If two or more persons share possession of an object, possession is joint;
- (23) "Public servant" means any person employed in any way by a government of this state who is compensated by the government by reason of such person's employment, any person appointed to a position with any government of this state, or any person elected to a position with any government of this state. It includes, but is not limited to, legislators, jurors, members of the judiciary and law enforcement officers. It does not include witnesses;
- (24) "Purposely" has the meaning specified in section 562.016, RSMo;
- (25) "Recklessly" has the meaning specified in section 562.016, RSMo;

(26) "Ritual" or "ceremony" means an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity;

(27) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(28) "Serious physical injury" means physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body;

(29) "Sexual conduct" means acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification;

(30) "Sexual contact" means any touching of the genitals or anus of any person, or the breast of any female person, or any such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person;

(31) "Sexual performance", any performance, or part thereof, which includes sexual conduct by a child who is less than seventeen years of age;

(32) "Voluntary act" has the meaning specified in section 562.011, RSMo.

566.067. 1. A person commits the crime of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact.

2. Child molestation in the first degree is a class B felony unless the actor has previously **pleaded guilty to or been convicted of an offense under this chapter or has pleaded guilty to or been convicted of an offense in another state or jurisdiction which would have constituted an offense pursuant to this chapter if it had been committed in this state**, or in the course thereof the actor inflicts serious physical injury, displays a deadly weapon or deadly instrument in a threatening manner, or the offense is committed as part of a ritual or ceremony, in which case the crime is a class A felony.

566.068. 1. A person commits the crime of child molestation in the second degree if, **being twenty-one years of age or older**, he or she subjects another person who is less than seventeen years of age to sexual contact.

2. Child molestation in the second degree is a class [A misdemeanor] **C felony** unless the actor has previously **pleaded guilty to or been convicted of an offense under this chapter or has pleaded guilty to or been convicted of an offense in another state or jurisdiction which would have constituted an offense pursuant to this chapter if it had been committed in this state**, or in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner, or the offense is committed as part of a ritual or ceremony, in which case the crime is a class [D] **B felony**.

**566.069. 1. A person commits the crime of child molestation in the third degree if such person subjects another person who is less than fourteen years of age to conduct which would constitute sexual contact except that the touching occurs through the clothing.**

**2. Child molestation in the third degree is a class D felony unless the actor has previously pleaded guilty to or been convicted of an offense pursuant to this chapter or has pleaded guilty to or been convicted of an offense in another state or jurisdiction which would have constituted an offense pursuant to this chapter if it had been committed in this state, or in the course thereof the actor inflicts serious physical injury, displays a deadly weapon or a dangerous instrument in a threatening manner, or the offense is committed as part of a ritual or ceremony in which case the crime is a class C felony.**

**566.071. 1. A person commits the crime of child molestation in the fourth degree if being twenty-one years of age or older, such person subjects another person who is less than seventeen years of age to conduct which would constitute sexual contact except that the touching occurs through the clothing.**

**2. Child molestation in the fourth degree is a class A misdemeanor unless the actor has previously pleaded guilty to or been convicted of an offense pursuant to this chapter or has pleaded guilty to or been convicted of an offense in another state or jurisdiction which would have constituted an offense pursuant to this chapter if it had been committed in this state, or in the course thereof the actor inflicts serious physical injury, displays a deadly weapon or a dangerous instrument in a threatening manner, or the offense is committed as part of a ritual or ceremony in which case the crime is a class D felony.**

566.083. 1. A person commits the crime of sexual misconduct involving a child if the person:

(1) Knowingly exposes the person's genitals to a child less than fourteen years of age in a manner that would cause a reasonable adult to believe that the conduct is likely to cause affront or alarm to a child less than fourteen years of age;

(2) Knowingly exposes the person's genitals to a child less than fourteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; or

(3) Coerces a child less than fourteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child.

2. As used in this section, the term "sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Violation of this section is a class D felony[; except that the second or any subsequent violation of this section] **unless the actor has previously pleaded guilty to or been convicted of an offense pursuant to this chapter or the actor has previously pleaded guilty to or been convicted of an offense against the laws of another state or jurisdiction which would constitute an offense pursuant to this chapter if it had been committed in this state, in which case it is a class C felony.**”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Jolly, **House Amendment No. 8** was adopted by the following vote:

AYES: 143

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Thompson                      Walton



PRESENT: 003

Bland                      Boykins                      Brooks

ABSENT WITH LEAVE: 014

Berkstresser	Burcham	Harlan	Johnson 61	Kelly 144
Lawson	Linton	Lograsso	Mays 50	O'Toole
Purgason	Richardson	Townley	Troupe	

VACANCIES: 001

Representative Abel offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, Page 104, Section 3, Lines 7 to 13, by deleting said section.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 9.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, Page 104, Section 3, Line 7, by deleting the words “probation or”; and on Line 8, by deleting the words “whether by the court or”; and

Further amend on Line 11, by deleting the words “probation or”; and

Further amend on Line 10, by deleting the words “or without”; and

Further amend the title and enacting clause accordingly.

**HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700, with House Substitute Amendment No. 1 for House Amendment No. 9, House Amendment No. 9 and HS, as amended, pending, was laid over.**

**SIGNING OF HOUSE BILL**

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 1115** was delivered to the Governor by the Chief Clerk of the House.

On motion of Representative Foley, the House recessed until 1:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nicholas Patrick Russell, Adair Stokan, Heather Lindgren, Kelly Bishop, Natasha Willhite, Amanda Branham, Sarah Brodsky, Eden Soleil Perez, Taylor Barnes, Molly Mehl, Lucy Hanaway, Elizabeth Drake, Emily Drake, Emma Krbey-Hickel, Alicia Wilkins, Ashley Wilkins, Callie Jetton, Emily Jetton, Grace Mosher, Jennifer Toddy, Monica Durrwachter, Jill Steensgard, Crystal Maddolin, Kelly Moncheski, Kelly Rhodes, Molly Quinn, Tracey Purgason, Laura Reid, Valerie Reid, Emily Counce, Loriann Reynolds, Amy Reynolds, Julianne Reynolds, Lisa Moravec, Hannah Moravec, Kristen Eversole, Sarah Harter, Theresa Harter, Cheryl Moonier, Meghan Moonier, Stacy Reynolds, Mary Warner, Lauren Grelle, Sarah Morehead, Peyton Bowman, Sloane Bowman, Catherine Luebbert, Tassi Shafer, Meredith Gibbons, Wendy Shoemyer, Laura Shoemyer, Amy Shoemyer, Christine Selby, Jessica Archer, Jasmine McGee, Jasmine Lowe, Ametra Harris, Miranda Branson, Ashley Hofmann and Lauren Stacey.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1486 - Representative Treadway  
 House Resolution No. 1487 - Representatives Boucher and Carnahan  
 House Resolution No. 1488 - Representative Ransdall  
 House Resolution No. 1489  
 and  
 House Resolution No. 1490 - Representative Enz  
 House Resolution No. 1491  
 and  
 House Resolution No. 1492 - Representative Legan  
 House Resolution No. 1493 - Representative Cooper  
 House Resolution No. 1494 - Representative Boykins  
 House Resolution No. 1495 - Representative Hollingsworth

### **COMMITTEE REPORTS**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1729, 1589 & 1435**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 1143 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 1460 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HB 1962 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### PERFECTION OF HOUSE BILLS

**HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700, with House Substitute Amendment No. 1 for House Amendment No. 9, House Amendment No. 9 and HS, as amended, pending,** relating to crimes and punishment, was again taken up by Representative Britt.

Representative Clayton resumed the Chair.

Representative Hosmer moved that **House Substitute Amendment No. 1 for House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Barnett	Bartelsmeyer	Bartle	Bearden	Black
Boatright	Boucher	Britt	Burton	Byrd
Champion	Cooper	Crawford	Crowell	Crump
Davis	Dolan	Enz	Froelker	Gaskill
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hegeman	Henderson	Hosmer	Hunter	Jetton
Jolly	Kelley 47	Kelly 36	King	Lawson
Legan	Marble	Marsh	May 149	Miller
Moore	Myers	Portwood	Ransdall	Rector
Rizzo	Roark	Schwab	Scott	Secrest
Shields	Shoemaker	Skaggs	St. Onge	Surface
Treadway	Wright			

NOES: 087

Abel	Barnitz	Berkowitz	Berkstresser	Bland
Bonner	Bowman	Boykins	Brooks	Campbell
Carnahan	Cierpiot	Clayton	Copenhaver	Cunningham
Curls	Daus	Dempsey	Fares	Farnen
Foley	Fraser	Gambaro	George	Graham
Gratz	Harding	Hartzler	Haywood	Hendrickson
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Johnson 61	Johnson 90	Jones	Kelly 144	Kelly 27
Koller	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Mayer	Mays 50	Merideth
Monaco	Murphy	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Purgason
Quinn	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Robirds	Ross	Scheve	Seigfreid

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Selby	Shelton	Shoemyer	Smith	Thompson
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Barry 100	Behnen	Bray 84
Burcham	Franklin	Green 73	Harlan	Hickey
Holand	Linton	McKenna	O'Connor	Reid
Townley	Troupe	Vogel		

VACANCIES: 001

On motion of Representative Abel, **House Amendment No. 9** was adopted.

Representative Crowell offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting at the appropriate location the following:

"566.010. As used in this chapter and chapter 568, RSMo, the following terms mean:

- (1) "Deviate sexual intercourse", any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the male or female sex organ or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person;
- (2) "Sexual conduct", sexual intercourse, deviate sexual intercourse or sexual contact;
- (3) "Sexual contact", any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, **or such touching through the clothing**, for the purpose of arousing or gratifying sexual desire of any person;
- (4) "Sexual intercourse", any penetration, however slight, of the female sex organ by the male sex organ, whether or not an emission results."; and

Further amend said bill, by inserting in the appropriate location the following section:

"556.090 1. A person commits the crime of sexual misconduct in the first degree if he has deviate sexual intercourse with another person of the same sex or he purposely subjects another person to sexual contact [or engages in conduct which would constitute sexual contact except that the touching occurs through the clothing] without that person's consent.

2. Sexual misconduct in the first degree is a class A misdemeanor unless the actor has previously been convicted of an offense under this chapter or unless in the course thereof the actor displays a deadly weapon in a threatening manner or the offense is committed as a part of a ritual or ceremony, in which case it is a class D felony."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Crowell, **House Amendment No. 10** was adopted.

Speaker Pro Tem Abel assumed the Chair.

Representative Relford offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public within seventy- two hours after execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body must be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hot lines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; and

(18) [In preparation for and implementation of electric restructuring, a municipal electric utility may close that portion of its financial records and business plans which contains information regarding the name of the suppliers of services to said utility and the cost of such services, and the records and business plans concerning the municipal electric utility's future marketing and service expansion areas. However, this exception shall not be construed to limit access to other records of a municipal electric utility, including but not limited to the names and addresses of its business and residential customers, its financial reports, including but not limited to its budget, annual reports and other financial statements prepared in the course of business, and other records maintained in the course of doing business as a municipal electric utility. This exception shall become null and void if the state of Missouri fails to implement by December 31, 2001, electric restructuring through the adoption of statutes permitting the same in this state.] **Portions of documents detailing plans or proposals for protection from and response to domestic terrorism, as defined in 18 U.S.C. section 2331, including the protection of critical physical structures and evacuation plans from those structures, protection and response plans relating to the potential contamination of reservoirs, water supplies or sewers, and protection and response plans relating to the damaging of electric or gas utilities; however, information related to the costs budgeted and expended to protect such structures, water supplies, sewers or utilities shall not be a closed record under this exception.**"; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 11** was adopted.

Representative Whorton offered **House Amendment No. 12**.

Representative Britt raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Johnson (90) offered **House Amendment No. 12**.

**House Amendment No. 12** was withdrawn.

Representative Burton offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

“650.057. 1. Except as provided in subsection 3 of this section, no local law enforcement agency may establish or operate a system before January 15, 1992, and unless:

(1) The equipment of the local system is compatible with that of the state system; and

(2) The local system is equipped to receive and answer inquiries from the Missouri DNA profiling system or FBI databank and transmit data to the Missouri DNA profiling system and FBI databank; and

(3) The procedure and rules for the collection, analysis, storage, expungement and use of DNA profiling data do not conflict with procedures and rules applicable to the Missouri system and the FBI DNA databank.

2. The Missouri department of public safety shall adopt rules to implement this section.

3. Nothing in subdivisions (1) and (2) of this section shall prohibit a local law enforcement agency from performing DNA profiling analysis in individual cases to assist law enforcement officials and prosecutors in the

preparation and use of DNA evidence for presentation in court. Implementation of sections 650.050 to 650.057 shall be subject to future appropriations except for section 650.050.

**4. Nothing in this section shall prohibit a law enforcement agency from obtaining a saliva sample through the use of a sterile cotton swab for the purpose of obtaining a DNA sample for purposes of DNA analysis as a part of the agency's normal booking process for individuals arrested for any felony violation, if taken in conjunction with the other procedures followed by the law enforcement agency in processing an individual arrested for a felony violation. This subsection does not authorize the drawing of a blood sample for this purpose unless a search warrant is first obtained.”; and**

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Burton, **House Amendment No. 12** was adopted.

Representative Crawford offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting the following new section in the appropriate location:

**“568.176. 1. Any person who sells or attempts to sell any person less than eighteen years of age to another or receives money or anything of value in consideration of placing any person less than eighteen years of age in the custody or under the power or control of another, or who buys or attempts to buy any person less than eighteen years of age, or pays money or delivers anything of value to another in consideration of having any person less than eighteen years of age placed in his or her custody or under his or her power or control is guilty of a class B felony.**

**2. The provisions of this section shall not apply to legitimate adoptions or to legitimate actions by department of corrections officials or county jailers.”.**

Representative Smith assumed the Chair.

On motion of Representative Crawford, **House Amendment No. 13** was adopted.

Representative Harding offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

**“568.052. 1. As used in this section, the following terms mean:**

- (1) "Collision", the act of a motor vehicle coming into contact with an object or a person;**
- (2) "Injury", physical harm to the body of a person;**
- (3) "Motor vehicle", any automobile, truck, truck-tractor, or any motor bus or motor-propelled vehicle not exclusively operated or driven on fixed rails or tracks;**
- (4) "Unattended", not accompanied by an individual [fourteen] **twelve** years of age or older.**

**2. A person commits the crime of leaving a child unattended in a motor vehicle in the first degree if such person knowingly leaves a child ten years of age or less unattended in a motor vehicle and such child fatally injures another person by causing a motor vehicle collision or by causing the motor vehicle to fatally injure a pedestrian. Such person shall be guilty of a class C felony.**

**3. A person commits the crime of leaving a child unattended in a motor vehicle in the second degree if such person knowingly leaves a child ten years of age or less unattended in a motor vehicle and such child injures another**

person by causing a motor vehicle collision or by causing the motor vehicle to injure a pedestrian. Such person shall be guilty of a class A misdemeanor.

**4. A person commits the crime of leaving a child unattended in a motor vehicle in the third degree if such person knowingly leaves a child ten years or age or less unattended in a motor vehicle. Such person shall be guilty of a class C misdemeanor.";** and

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Harding moved that **House Amendment No. 14** be adopted.

Which motion was defeated.

Representative Reinhart offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, Section 566.060, Page 58, Line 8, by inserting immediately after all of said line the following:

"569.020. 1. A person commits the crime of robbery in the first degree when he forcibly steals property and in the course thereof he, or another participant in the crime,

- (1) Causes serious physical injury to any person; or
- (2) Is armed with a deadly weapon; or
- (3) Uses or threatens the immediate use of a dangerous instrument against any person; or
- (4) Displays or threatens the use of what appears to be a deadly weapon or dangerous instrument.

2. Robbery in the first degree is a class A felony, **but notwithstanding any other provision of law, a person convicted pursuant to this section shall not be eligible for suspended execution of sentence, probation, parole, or conditional release until having served a minimum of five years imprisonment if the property taken was a vehicle and if the vehicle had a child under the age of thirteen who is not biologically related or related by adoption to the person convicted in it at the time the vehicle was taken.**

569.030. 1. A person commits the crime of robbery in the second degree when he forcibly steals property.

2. Robbery in the second degree is a class B felony, **but notwithstanding any other provision of law, a person convicted pursuant to this section shall not be eligible for suspended execution of sentence, probation, parole, or conditional release until having served a minimum of five years imprisonment if the property taken was a vehicle and if the vehicle had a child under the age of thirteen who is not biologically related or related by adoption to the person convicted in it at the time the vehicle was taken.";** and

Further amend said bill, Section 570.030, Page 69, Line 4, by inserting immediately after said line the following:

**"8. Notwithstanding any other provision of law, a person convicted pursuant to subsection 3 of this section shall not be eligible for suspended execution of sentence, probation, parole, or conditional release until having served a minimum of five years imprisonment if the property taken was a vehicle and if the vehicle had a child under the age of thirteen who is not biologically related or related by adoption to the person convicted in it at the time the vehicle was taken.";** and

Further amend said bill, by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Reinhart, **House Amendment No. 15** was adopted.

Representative Portwood offered **House Amendment No. 16**.



*House Amendment No. 16*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

- "565.024. 1. A person commits the crime of involuntary manslaughter in the first degree if he **or she**:
- (1) Recklessly causes the death of another person; or
  - (2) While in an intoxicated condition operates a motor vehicle in this state and, when so operating, acts with criminal negligence to cause the death of any person; **or**
  - (3) **While in the process of committing any crime pursuant to chapter 195, RSMo, or while in the process of committing any other crime wherein the sale, distribution, trafficking, possession, use or other activity involving any controlled substance is an element of such crime and the controlled substance is the cause of death of any person and the person's death could have been avoided had aid been summoned.**
2. Involuntary manslaughter in the first degree is a class C felony.
  3. A person commits the crime of involuntary manslaughter in the second degree if he acts with criminal negligence to cause the death of any person.
  4. Involuntary manslaughter in the second degree is a class D felony."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 16** was adopted.

Representative Clayton offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following section:

- "304.351. 1. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway, provided, however, there is no form of traffic control at such intersection.
2. When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the driver of the vehicle on the right. This subsection shall not apply to vehicles approaching each other from opposite directions when the driver of one of such vehicles is attempting to or is making a left turn.
  3. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.
  4. The state highways and transportation commission with reference to state highways and local authorities with reference to other highways under their jurisdiction may designate through highways and erect stop signs or yield signs at specified entrances thereto, or may designate any intersection as a stop intersection or as a yield intersection and erect stop signs or yield signs at one or more entrances to such intersection.
    - (1) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs as authorized in this section:
      - (a) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection, indicated by a stop sign, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic in the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.
      - (b) The driver of a vehicle approaching a yield sign shall in obedience to the sign slow down to a speed

reasonable to the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such traffic is moving across or within the intersection.

5. The driver of a vehicle about to enter or cross a highway from an alley, building or any private road or driveway shall yield the right-of-way to all vehicles approaching on the highway to be entered.

6. The driver of a vehicle intending to make a left turn into an alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction when the making of such left turn would create a traffic hazard.

7. The state highways and transportation commission or local authorities with respect to roads under their respective jurisdictions, on any section where construction or major maintenance operations are being effected, may fix a speed limit in such areas by posting of appropriate signs, and the operation of a motor vehicle in excess of such speed limit in the area so posted shall be deemed prima facie evidence of careless and imprudent driving and a violation of section 304.010.

8. Notwithstanding the provisions of section 304.361, violation of this section shall be deemed a class C misdemeanor.

**9. In addition to the penalty specified in subsection 8 of this section, any person who pleads guilty to or is found guilty of a violation of this section in which the offender is found to have caused physical injury shall be assessed a court cost of two hundred dollars. The court may issue an order of suspension of such persons driving privilege for a period of thirty days.**

**10. In addition to the penalty specified in subsection 8 of this section, any person who pleads guilty to or is found guilty of a violation of this section in which the offender is found to have caused serious physical injury shall be assessed a court cost of five hundred dollars. The court may issue an order of suspension of such persons driving privilege for a period of ninety days.**

**11. In addition to the penalty specified in subsection 8 of this section, any person who pleads guilty to or is found guilty of a violation of this section in which the offender is found to have caused a fatality shall be assessed a court cost of one thousand dollars. The court may issue an order of suspension of such persons driving privilege for a period of six months.**

**12. Notwithstanding the provisions of any other law to the contrary, all court costs collected pursuant to subsections 9, 10, and 11 of this section shall be deposited in the motorcycle safety trust fund established under section 302.137, RSMo."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Clayton, **House Amendment No. 17** was adopted.

Representative Jolly offered **House Amendment No. 18.**

*House Amendment No. 18*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

"544.170. 1. Except as provided in subsection 2 of this section, all persons arrested and confined in any jail or other place of confinement by any peace officer, without warrant or other process, for any alleged breach of the peace or other criminal offense, or on suspicion thereof, shall be discharged from said custody within twenty hours from the time of such arrest, unless they shall be charged with a criminal offense by the oath of some credible person, and be held by warrant to answer to such offense.

2. Upon a determination by the commanding officer, or the delegate thereof, of the law enforcement agency making such an arrest, a person arrested for any [of the following offenses] **felony offense** without warrant or other process of law shall be released from custody within [twenty-four] **thirty-two** hours of arrest, unless the person is charged and held pursuant to a warrant to answer for such offense[:

- (1) First degree murder pursuant to section 565.020, RSMo;
- (2) Second degree murder pursuant to section 565.021, RSMo;
- (3) First degree assault pursuant to section 565.050, RSMo;
- (4) Forcible rape pursuant to section 566.030, RSMo;
- (5) Forcible sodomy pursuant to section 566.060, RSMo;
- (6) First degree robbery pursuant to section 569.020, RSMo; or
- (7) Distribution of drugs pursuant to section 195.211, RSMo].

3. In any confinement to which the provisions of this section apply, the confinee shall be permitted at any reasonable time to consult with counsel or other persons acting on the confinee's behalf.

4. Any person who violates the provisions of this section, by refusing to release any person who is entitled to release pursuant to this section, or by refusing to permit a confinee to consult with counsel or other persons, or who transfers any such confinees to the custody or control of another, or to another place, or who falsely charges such person, with intent to avoid the provisions of this section, is guilty of a class A misdemeanor.”; and

Further amend said title, enacting clause, and intersectional references accordingly

On motion of Representative Jolly, **House Amendment No. 18** was adopted by the following vote:

AYES: 112

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Boucher	Britt	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Copenhaver	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Froelker	Gambaro
Gaskill	Griesheimer	Hagan-Harrell	Hanaway	Harding
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Koller	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Moore	Myers	Naeger	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reinhart	Relford	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Van Zandt	Villa
Vogel	Wagner	Ward	Williams	Willoughby
Wright	Mr. Speaker			

NOES: 018

Bowman	Boykins	Brooks	Clayton	Graham
Harlan	Haywood	Hollingsworth	Johnson 61	Jones
McKenna	Murphy	Reynolds	Thompson	Walker
Walton	Whorton	Wilson 25		

PRESENT: 001

Wilson 42

ABSENT WITH LEAVE: 031

Abel	Baker	Ballard	Bland	Bray 84
Burcham	Cooper	Crawford	Crowell	Fraser
George	Gratz	Green 15	Green 73	Hampton
Hartzler	Hickey	Holand	King	Linton
Lograsso	Long	Monaco	Nordwald	O'Connor
O'Toole	Reid	Ridgeway	Townley	Treadway
Troupe				

VACANCIES: 001

## Representative Mayer offered **House Amendment No. 19.**

### *House Amendment No. 19*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

“167.161. 1. The school board of any district, after notice to parents or others having custodial care and a hearing upon charges preferred, may suspend or expel a pupil for conduct which is prejudicial to good order and discipline in the schools or which tends to impair the morale or good conduct of the pupils. In addition to the authority granted in section 167.171, a school board may authorize, by general rule, the immediate removal of a pupil upon a finding by the principal, superintendent, or school board that the pupil poses a threat of harm to such pupil or others, as evidenced by the prior conduct of such pupil. Prior disciplinary actions shall not be used as the sole basis for removal, suspension or expulsion of a pupil. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. At the hearing upon any such removal, suspension or expulsion, the board shall consider the evidence and statements that the parties present and may consider records of past disciplinary actions, criminal court records or juvenile court records consistent with other provisions of the law, or the actions of the pupil which would constitute a criminal offense. The board may provide by general rule not inconsistent with this section for the procedure and conduct of such hearings. After meeting with the superintendent or his designee to discuss the expulsion, the parent, custodian or the student, if at least eighteen years of age, may, in writing, waive any right to a hearing before the board of education.

2. The school board of any district, after notice to parents or others having custodial care and a hearing upon the matter, may suspend a pupil upon a finding that [the pupil has been charged, convicted or pled guilty in a court of general jurisdiction for the commission of a]:

- (1) **Such pupil has been convicted of a felony criminal violation of state or federal law; or**
- (2) **An indictment or information has been filed alleging that the pupil has committed a felony criminal violation of state or federal law to which there has been no final judgment; or**
- (3) **A petition has been filed pursuant to section 211.091, RSMo, alleging that the pupil has committed an act which if committed by an adult would be a felony criminal violation of state or federal law to which there has been no final judgment; or**

(4) **The pupil has been adjudicated to have committed an act which if committed by an adult would be a felony criminal violation of state or federal law.** At a hearing required by this subsection, the board shall consider statements that the parties present. The board may provide for the procedure and conduct of such hearings.

3. The school board shall make a good-faith effort to have the parents or others having custodial care present at any such hearing. Notwithstanding any other provision of law to the contrary, student discipline hearings or proceedings related to the rights of students to attend school or to receive academic credit shall not be required to comply with the requirements applicable to contested case hearings as provided in chapter 536, RSMo, provided that appropriate due process procedures shall be observed which shall include the right for a trial de novo by the circuit court.

167.171. 1. The school board in any district, by general rule and for the causes provided in section 167.161, may authorize the summary suspension of pupils by principals of schools for a period not to exceed ten school days and by the superintendent of schools for a period not to exceed one hundred and eighty school days. In case of a suspension by the superintendent for more than ten school days, the pupil, the pupil's parents or others having such pupil's custodial

care may appeal the decision of the superintendent to the board or to a committee of board members appointed by the president of the board which shall have full authority to act in lieu of the board. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In event of an appeal to the board, the superintendent shall promptly transmit to it a full report in writing of the facts relating to the suspension, the action taken by the superintendent and the reasons therefor and the board, upon request, shall grant a hearing to the appealing party to be conducted as provided in section 167.161.

2. No pupil shall be suspended unless:

- (1) The pupil shall be given oral or written notice of the charges against such pupil;
- (2) If the pupil denies the charges, such pupil shall be given an oral or written explanation of the facts which form the basis of the proposed suspension;
- (3) The pupil shall be given an opportunity to present such pupil's version of the incident; and
- (4) In the event of a suspension for more than ten school days, where the pupil gives notice that such pupil wishes to appeal the suspension to the board, the suspension shall be stayed until the board renders its decision, unless in the judgment of the superintendent of schools, or of the district superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

3. No school board shall readmit or enroll a pupil properly suspended for more than ten consecutive school days for an act of school violence as defined in subsection 2 of section 160.261, RSMo, regardless of whether or not such act was committed at a public school or at a private school in this state, provided that such act shall have resulted in the suspension or expulsion of such pupil in the case of a private school, or otherwise permit such pupil to attend school without first holding a conference to review the conduct that resulted in the expulsion or suspension and any remedial actions needed to prevent any future occurrences of such or related conduct. The conference shall include the appropriate school officials including any teacher employed in that school or district directly involved with the conduct that resulted in the suspension or expulsion, the pupil, the parent or guardian of the pupil or any agency having legal jurisdiction, care, custody or control of the pupil. The school board shall notify in writing the parents or guardians and all other parties of the time, place, and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. Notwithstanding any provision of this subsection to the contrary, no pupil shall be readmitted or enrolled to a regular program of instruction if:

- (1) Such pupil has been convicted of; or
- (2) An indictment or information has been filed alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (3) A petition has been filed pursuant to section 211.091, RSMo, alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (4) The pupil has been adjudicated to have committed an act which if committed by an adult would be one of the following:
  - (a) First degree murder [under] **pursuant to** section 565.020, RSMo;
  - (b) Second degree murder [under] **pursuant to** section 565.021, RSMo;
  - (c) First degree assault [under] **pursuant to** section 565.050, RSMo;
  - (d) [Forcible rape under section 566.030, RSMo] **Any felony offense established pursuant to chapter 566 or 567, RSMo;**
  - (e) [Forcible sodomy under section 566.060, RSMo;
  - (f) Robbery in the first degree [under] **pursuant to** section 569.020, RSMo;
  - (g) [f] Distribution of drugs to a minor [under] **pursuant to** section 195.212, RSMo;
  - (h) [g] Arson in the first degree [under] **pursuant to** section 569.040, RSMo;
  - (i) [h] Kidnapping, when classified as a class A felony [under] **pursuant to** section 565.110, RSMo.

Nothing in this subsection shall prohibit the readmittance or enrollment of any pupil if a petition has been dismissed, or when a pupil has been acquitted or adjudicated not to have committed any of the above acts. This subsection shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability. Nothing in this subsection shall be construed to prohibit a school district which provides an alternative education program from enrolling a pupil in an alternative education program if the district determines such enrollment is appropriate.

4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district including a private, charter or parochial school or school district, a conference with the

superintendent or the superintendent's designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Mayer, **House Amendment No. 19** was adopted.

Representative Johnson (90) offered **House Amendment No. 20**.

*House Amendment No. 20*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting the following section at the appropriate location:

- “566.093. 1. A person commits the crime of sexual misconduct in the second degree if he:
- (1) Exposes his genitals under circumstances in which he knows that his conduct is likely to cause affront or alarm **or while being in a public place, other than a restroom or shower room, in the presence of another person or persons;** or
  - (2) Has sexual contact in the presence of a third person or persons under circumstances in which he knows that such conduct is likely to cause affront or alarm **or while being in a public place in the presence of another person or persons;** or
2. Sexual misconduct in the second degree is a class B misdemeanor unless the actor has previously been convicted of an offense under this chapter, in which case it is a class A misdemeanor.
- 566.095. 1. A person commits the crime of sexual misconduct in the third degree if he solicits or requests another person to engage in sexual conduct under circumstances in which he knows that his requests or solicitation is likely to cause affront or alarm **or while being in a public place in the presence of another person or persons.**
2. Sexual misconduct in the third degree is a class C misdemeanor”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 20** was adopted.

Representative Carnahan offered **House Amendment No. 21**.

*House Amendment No. 21*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

- “217.720. 1. At any time during release on parole or conditional release the board may issue a warrant for the arrest of a released offender for violation of any of the conditions of parole or conditional release. The warrant shall authorize any law enforcement officer to return the offender to the actual custody of the correctional center from which the offender was released, or to any other suitable facility designated by the board. If any parole or probation officer has probable cause to believe that such offender has violated a condition of parole or conditional release, the probation

or parole officer may issue a warrant for the arrest of the offender. The probation or parole officer may effect the arrest or may deputize any officer with the power of arrest to do so by giving the officer a copy of the warrant which shall outline the circumstances of the alleged violation and contain the statement that the offender has, in the judgment of the probation or parole officer, violated conditions of parole or conditional release. The warrant delivered with the offender by the arresting officer to the official in charge of any facility designated by the board to which the offender is brought shall be sufficient legal authority for detaining the offender. After the arrest the parole or probation officer shall present to the detaining authorities a similar statement of the circumstances of violation. Pending hearing as hereinafter provided, upon any charge of violation, the offender shall remain in custody or incarcerated without consideration of bail. **In the event the offender is placed in the custody of any jail or medium security institution operated by a county or city not within a county, such offender shall be transferred as soon as possible, and in any event no later than ten days following arrest, to the custody of the Missouri Department of Corrections. Any county or city not within a county that had temporary custody of such an offender shall be reimbursed by the state in such amounts and in such manner as provided in section 221.105.1, RSMo, for the period in which it had custody of said offender prior to transfer. Any such offender shall remain in the custody of the Missouri Department of Corrections except on those days when court appearances are required, and any jail or medium security institution operated by any county or city not within a county accepting custody of such offender on such days shall be reimbursed by the state in such amounts and in such manner as provided in section 221.105.1, RSMo.**

2. If the offender is arrested under the authority granted in subsection 1 of this section, the offender shall have the right to a preliminary hearing on the violation charged unless the offender waives such hearing. Upon such arrest and detention, the parole or probation officer shall immediately notify the board and shall submit in writing a report showing in what manner the offender has violated the conditions of his parole or conditional release. The board shall order the offender discharged from such facility, require as a condition of parole or conditional release the placement of the offender in a treatment center operated by the department of corrections, or shall cause the offender to be brought before it for a hearing on the violation charged, under such rules and regulations as the board may adopt. **Any such hearing shall be held no later than 45 days following the date of arrest.** If the violation is established and found, the board may continue or revoke the parole or conditional release, or enter such other order as it may see fit. If no violation is established and found, then the parole or conditional release shall continue. If at any time during release on parole or conditional release the offender is arrested for a crime which later leads to conviction, and sentence is then served outside the Missouri department of corrections, the board shall determine what part, if any, of the time from the date of arrest until completion of the sentence imposed is counted as time served under the sentence from which the offender was paroled or conditionally released.

3. An offender for whose return a warrant has been issued by the board shall, if it is found that the warrant cannot be served, be deemed to be a fugitive from justice or to have fled from justice. If it shall appear that the offender has violated the provisions and conditions of his parole or conditional release, the board shall determine whether the time from the issuing date of the warrant to the date of his arrest on the warrant, or continuance on parole or conditional release shall be counted as time served under the sentence. In all other cases, time served on parole or conditional release shall be counted as time served under the sentence.

4. At any time during parole or probation, the board may issue a warrant for the arrest of any person from another jurisdiction, the visitation and supervision of whom the board has undertaken pursuant to the provisions of the interstate compact for the supervision of parolees and probationers authorized in section 217.810, for violation of any of the conditions of release, or a notice to appear to answer a charge of violation. The notice shall be served personally upon the person. The warrant shall authorize any law enforcement officer to return the offender to any suitable detention facility designated by the board. Any parole or probation officer may arrest such person without a warrant, or may deputize any other officer with power of arrest to do so by issuing a written statement setting forth that the defendant has, in the judgment of the parole or probation officer, violated the conditions of his release. The written statement delivered with the person by the arresting officer to the official in charge of the detention facility to which the person is brought shall be sufficient legal authority for detaining him. After making an arrest the parole or probation officer shall present to the detaining authorities a similar statement of the circumstances of violation.

217.722. 1. If any probation officer has probable cause to believe that the person on probation has violated a condition of probation, the probation officer may issue a warrant for the arrest of the person on probation. The officer may effect the arrest or may deputize any other officer with the power of arrest to do so by giving the officer a copy of the warrant which will outline the circumstances of the alleged violation and contain the statement that the person on probation has, in the judgment of the probation officer, violated the conditions of probation. The warrant delivered with the offender by the arresting officer to the official in charge of any jail or other detention facility shall be sufficient

authority for detaining the person on probation pending a preliminary hearing on the alleged violation. **In the event the offender is placed in the custody of any jail or medium security institution operated by a county or city not within a county, such offender shall be transferred as soon as possible, and in any event no later than ten days following arrest, to the custody of the Missouri Department of Corrections. Any county or city not within a county that had temporary custody of such an offender shall be reimbursed by the state in such amounts and in such manner as provided in section 221.105.1, RSMo, for the period in which it had custody of said offender prior to transfer. Any such offender shall remain in the custody of the Missouri Department of Corrections except on those days when court appearances are required, and any jail or medium security institution operated by any county or city not within a county accepting custody of such offender on such days shall be reimbursed by the state in such amounts and in such manner as provided in section 221.105.1, RSMo.** Other provisions of law relating to release on bail of persons charged with criminal offenses shall be applicable to persons detained on alleged probation violations.

2. Any person on probation arrested under the authority granted in subsection 1 of this section shall have the right to a preliminary hearing on the violation charged as long as the person on probation remains in custody or unless the offender waives such hearing. The person on probation shall be notified immediately in writing of the alleged probation violation. If arrested in the jurisdiction of the sentencing court, and the court which placed the person on probation is immediately available, the preliminary hearing shall be heard by the sentencing court. Otherwise, the person on probation shall be taken before a judge or associate circuit judge in the county of the alleged violation or arrest having original jurisdiction to try criminal offenses or before an impartial member of the staff of the Missouri board of probation and parole, and the preliminary hearing shall be held as soon as possible after the arrest, **and in any event no later than 14 days following the date of arrest.** Such preliminary hearings shall be conducted as provided by rule of court or by rules of the Missouri board of probation and parole. If it appears that there is probable cause to believe that the person on probation has violated a condition of probation, or if the person on probation waives the preliminary hearing, the judge or associate circuit judge, or member of the staff of the Missouri board of probation and parole shall order the person on probation held for further proceedings in the sentencing court. If probable cause is not found, the court shall not be barred from holding a hearing on the question of the alleged violation of a condition of probation nor from ordering the person on probation to be present at such a hearing.

3. Upon such arrest and detention, the probation officer shall immediately notify the sentencing court and shall submit to the court a written report showing in what manner the person on probation has violated the conditions of probation. Thereupon, or upon arrest by warrant, the court shall cause the person on probation to be brought before it without unnecessary delay **and in any event no later than 45 days following the date of arrest, unless extended for good cause,** for a hearing on the violation charged. Revocation hearings shall be conducted as provided by rule of court.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Carnahan, **House Amendment No. 21** was adopted.

Representative Griesheimer offered **House Amendment No. 22.**

*House Amendment No. 22*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

“571.070. 1. A person commits the crime of unlawful possession of a [concealable] firearm if he has any [concealable] firearm in his possession and:

(1) He has pled guilty to or has been convicted of a dangerous felony, as defined in section 556.061, RSMo, or of an attempt to commit a dangerous felony, or of a crime under the laws of any state or of the United States which, if committed within this state, would be a dangerous felony, or confined therefor in this state or elsewhere during the five-year period immediately preceding the date of such possession; or

(2) He is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent.



2. Unlawful possession of a concealable firearm is a class C felony.”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Griesheimer, **House Amendment No. 22** was adopted.

Representative Naeger offered **House Amendment No. 23**.

*House Amendment No. 23*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

"577.054. 1. After a period of not less than ten years, an individual who has pleaded guilty or has been convicted for a first alcohol-related driving offense which is a misdemeanor or a county or city ordinance violation and which is not a conviction for driving a commercial motor vehicle while under the influence of alcohol and who since such date has not been convicted of any other alcohol-related driving offense may apply to the court in which he pled guilty or was sentenced for an order to expunge from all official records all recordations of his arrest, plea, trial or conviction. If the court determines, after hearing, that such person has not been convicted of any alcohol-related driving offense in the ten years prior to the date of the application for expungement, and has no other alcohol-related enforcement contacts as defined in section 302.525, RSMo, during that ten-year period, the court shall enter an order of expungement. The effect of such order shall be to restore such person to the status he occupied prior to such arrest, plea or conviction and as if such event had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge such arrest, plea, trial, conviction or expungement in response to any inquiry made of him for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement pursuant to this section. Nothing contained in this section shall prevent the director from maintaining such records as to ensure that an individual receives only one expungement pursuant to this section for the purpose of informing the proper authorities of the contents of any record maintained pursuant to this section.

2. **The director of revenue shall expunge all official records and recordations maintained by the department of revenue of any suspensions, revocations, or other administrative disciplinary actions taken by the director of revenue as the result of or arising out of or related to the arrest, plea, trial, or conviction of any person for any offense for which the court has ordered expungement pursuant to subsection 1 of this section. Nothing contained in this subsection shall prevent the director of revenue from maintaining such records as are necessary to ensure that an individual receives only one expungement pursuant to subsection 1 of this section, provided that these records or the information contained therein shall only be released to the court where such person plead guilty to or nolo contendere to or was found guilty of the offense which was ordered expunged.”;** and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Naeger, **House Amendment No. 23** was adopted.

Representative Clayton offered **House Amendment No. 24**.

*House Amendment No. 24*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting the following in the appropriate location:

**“Section 1. Notwithstanding the provisions of section 302.309.3(5), RSMo, to the contrary, a person cannot be denied a limited driving privilege for the reason that the person had been granted such a privilege within the immediately preceding five years.”.**

Representative Hosmer raised a point of order that **House Amendment No. 24** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Clayton, **House Amendment No. 24** was adopted by the following vote:

AYES: 083

Abel	Baker	Barry 100	Bartelsmeyer	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crump	Curls	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hartzler	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Jetton	Johnson 61
Jones	King	Liese	Long	Lowe
Luetkenhaus	May 149	Mays 50	McKenna	Monaco
Murphy	Myers	Naeger	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Relford	Reynolds	Robirds	Seigfreid	Treadway
Walker	Walton	Ward	Whorton	Williams
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 062

Barnett	Barnitz	Bartle	Bearden	Boatright
Burton	Byrd	Cooper	Crawford	Cunningham
Daus	Enz	Gambaro	Hanaway	Harding
Henderson	Hendrickson	Hohulin	Hosmer	Hunter
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Koller	Lawson	Legan	Marble
Mayer	Merideth	Miller	Moore	Phillips
Purgason	Rector	Reid	Reinhart	Richardson
Rizzo	Roark	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Townley	Van Zandt	Villa	Vogel
Willoughby	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 017

Ballard	Bowman	Burcham	Crowell	Dempsey
Harlan	Hegeman	Linton	Lograsso	Luetkemeyer
Marsh	Nordwald	O'Connor	Ridgeway	Thompson
Troupe	Wagner			

VACANCIES: 001

Representative Reid offered **House Amendment No. 25.**

*House Amendment No. 25*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

“547.170. In all cases where an appeal or writ of error is prosecuted from a judgment in a criminal cause, except where the defendant is under sentence of death or imprisonment in the penitentiary for life, or a sentence of imprisonment for a violation of sections 195.222, RSMo, 565.021, RSMo, 565.050, RSMo, [or] subsections 1 and 2 of section 566.030, **566.032, 566.040, 566.060, 566.062, 566.070, or 566.100**, RSMo, any court or officer authorized to order a stay of proceedings under the preceding provisions may allow a writ of habeas corpus, to bring up the defendant, and may thereupon let him to bail upon a recognizance, with sufficient sureties, to be approved by such court or judge.”; and

Further amend said title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Reid, **House Amendment No. 25** was adopted.

Representative Naeger offered **House Amendment No. 26.**

*House Amendment No. 26*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

"577.600. 1. In addition to any other provisions of law, a court may require that any person who is found guilty of or pleads guilty to a first **or second** intoxication-related traffic offense, as defined in section 577.023, [and a court shall require that any person who is found guilty of or pleads guilty to a second or subsequent intoxication-related traffic offense, as defined in section 577.023,] shall not operate any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a period of not less than one month from the date [of reinstatement of the person's driver's license. In addition, any court authorized to grant a limited driving privilege under section 302.309, RSMo, to any person who is found guilty of or pleads guilty to a second or subsequent intoxication-related traffic offense shall require the use of an ignition interlock device on all vehicles operated by the person as a required condition of the limited driving privilege] **such person was placed on probation and required to use the device.** Any person required to use an ignition interlock device shall comply with the court order, subject to the penalties provided by this section.

2. No person shall knowingly rent, lease or lend a motor vehicle to a person known to have had that person's driving privilege restricted as provided in subsection 1 of this section, unless the vehicle is equipped with a functioning, certified ignition interlock device. Any person whose driving privilege is restricted as provided in subsection 1 of this section shall notify any other person who rents, leases or loans a motor vehicle to that person of the driving restriction imposed pursuant to this section.

3. **Notwithstanding the provisions of chapter 302, RSMo, the department of revenue shall not, as a result of a first or second intoxication-related traffic offense, suspend or revoke the driving privilege of any person who is found guilty of or pleads guilty to a first or second intoxication-related traffic offense, as defined in section 577.023, and who is required to use an ignition interlock device pursuant to subsection 1 of this section.**

4. Any person convicted of a violation of this section shall be guilty of a class A misdemeanor."; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Naeger, **House Amendment No. 26** was adopted.

Representative Bartle offered **House Amendment No. 27**.

Representative Britt raised a point of order that **House Amendment No. 27** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Bray offered **House Amendment No. 27**.

*House Amendment No. 27*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, Section 558.019, Page 45, Line 15, by placing an open bracket before the word "The" on said Line; and

Further amend said bill, Section 558.019, Page 45, Line 18, by inserting a close bracket after the word "therefor" on said Line; and

Further amend said bill, Section 558.019, Page 45, Line 20, by placing brackets around the phrase "death penalty" on said Line; and

Further amend said bill, Section 558.019, Page 46, Line 11, by inserting an open bracket before the word "commission" on said Line; and

Further amend said bill, Section 558.019, Page 46, Line 17, by inserting a close bracket after the second occurrence of the word "the" on said Line; and

Further amend said bill by inserting in the appropriate location the following:

"565.020. 1. A person commits the crime of murder in the first degree if [he] **such person** knowingly causes the death of another person after deliberation upon the matter.

2. Murder in the first degree is a class A felony, and the punishment shall be [either death or] imprisonment for life without eligibility for probation or parole, or release except by act of the governor[; except that, if a person has not reached his sixteenth birthday at the time of the commission of the crime, the punishment shall be imprisonment for life without eligibility for probation or parole, or release except by act of the governor].

565.040. [1. In the event that the death penalty provided in this chapter is held to be unconstitutional,] Any person convicted of murder in the first degree [shall be] **and** sentenced by the court **to death hereafter has such sentence commuted** to life imprisonment without eligibility for probation, parole, or release except by act of the governor[, with the exception that when a specific aggravating circumstance found in a case is held to be unconstitutional or invalid for another reason, the supreme court of Missouri is further authorized to remand the case for resentencing or retrial of the punishment pursuant to subsection 5 of section 565.036.

2. In the event that any death sentence imposed pursuant to this chapter is held to be unconstitutional, the trial court which previously sentenced the defendant to death shall cause the defendant to be brought before the court and

shall sentence the defendant to life imprisonment without eligibility for probation, parole, or release except by act of the governor, with the exception that when a specific aggravating circumstance found in a case is held to be inapplicable, unconstitutional or invalid for another reason, the supreme court of Missouri is further authorized to remand the case for retrial of the punishment pursuant to subsection 5 of section 565.035].

[546.680. When judgment of death is rendered by any court of competent jurisdiction, a warrant signed by the judge and attested by the clerk under the seal of the court must be drawn and delivered to the sheriff. It must state the conviction and judgment and appoint a day on which the judgment must be executed, which must not be less than thirty nor more than sixty days from the date of judgment, and must direct the sheriff to deliver the defendant, at a time specified in said order, not more than ten days from the date of judgment, to the chief administrative officer of a correctional facility of the department of corrections, for execution.]

[546.710. Upon such convicted offender being brought before the court, they shall proceed to inquire into the facts, and if no legal reasons exist against the execution of sentence, such court shall issue a warrant to the director of the department of corrections, for the execution of the prisoner at the time therein specified, which execution shall be obeyed by the director accordingly.]

[546.720. The manner of inflicting the punishment of death shall be by the administration of lethal gas or by means of the administration of lethal injection. And for such purpose the director of the department of corrections is hereby authorized and directed to provide a suitable and efficient room or place, enclosed from public view, within the walls of a correctional facility of the department of corrections, and the necessary appliances for carrying into execution the death penalty by means of the administration of lethal gas or by means of the administration of lethal injection.]

[546.730. A judgment of death must be executed within a correctional center of the department of corrections; and such execution shall be under the supervision and direction of the director of the department of corrections.]

[546.740. The chief administrative officer of the correctional center, or his duly appointed representative shall be present at the execution and the director of the department of corrections shall invite the presence of the attorney general of the state, and at least eight reputable citizens, to be selected by him; and he shall at the request of the defendant, permit such clergy or religious leaders, not exceeding two, as the defendant may name, and any person, other than another incarcerated offender, relatives or friends, not to exceed five, to be present at the execution, together with such peace officers as he may think expedient, to witness the execution; but no person under twenty-one years of age shall be allowed to witness the execution.]

[546.750. After the execution the chief administrative officer of the correctional facility shall make a return upon the death warrant to the court by which the judgment was rendered, showing the time, mode and manner in which it was executed.]

[565.032. 1. In all cases of murder in the first degree for which the death penalty is authorized, the judge in a jury-waived trial shall consider, or he shall include in his instructions to the jury for it to consider:

(1) Whether a statutory aggravating circumstance or circumstances enumerated in subsection 2 of this section is established by the evidence beyond a reasonable doubt; and

(2) If a statutory aggravating circumstance or circumstances is proven beyond a reasonable doubt, whether the evidence as a whole justifies a sentence of death or a sentence of life imprisonment without eligibility for probation, parole, or release except by act of the governor. In determining the issues enumerated in subdivisions (1) and (2) of this subsection, the trier shall consider all evidence which it finds to be in aggravation or mitigation of punishment, including evidence received during the first stage of the trial and evidence supporting any of the statutory aggravating or mitigating circumstances set out in subsections 2 and 3 of this section. If the trier is a jury, it shall not be instructed upon any specific evidence which may be in aggravation or mitigation of punishment, but shall be instructed that each juror shall consider any evidence which he considers to be aggravating or mitigating.

2. Statutory aggravating circumstances for a murder in the first degree offense shall be limited to the following:

(1) The offense was committed by a person with a prior record of conviction for murder in the first degree, or the offense was committed by a person who has one or more serious assaultive criminal convictions;

(2) The murder in the first degree offense was committed while the offender was engaged in the commission or attempted commission of another unlawful homicide;

(3) The offender by his act of murder in the first degree knowingly created a great risk of death to more than one person by means of a weapon or device which would normally be hazardous to the lives of more than one person;

(4) The offender committed the offense of murder in the first degree for himself or another, for the purpose of receiving money or any other thing of monetary value from the victim of the murder or another;

(5) The murder in the first degree was committed against a judicial officer, former judicial officer, prosecuting attorney or former prosecuting attorney, circuit attorney or former circuit attorney, assistant prosecuting attorney or

former assistant prosecuting attorney, assistant circuit attorney or former assistant circuit attorney, peace officer or former peace officer, elected official or former elected official during or because of the exercise of his official duty;

(6) The offender caused or directed another to commit murder in the first degree or committed murder in the first degree as an agent or employee of another person;

(7) The murder in the first degree was outrageously or wantonly vile, horrible or inhuman in that it involved torture, or depravity of mind;

(8) The murder in the first degree was committed against any peace officer, or fireman while engaged in the performance of his official duty;

(9) The murder in the first degree was committed by a person in, or who has escaped from, the lawful custody of a peace officer or place of lawful confinement;

(10) The murder in the first degree was committed for the purpose of avoiding, interfering with, or preventing a lawful arrest or custody in a place of lawful confinement, of himself or another;

(11) The murder in the first degree was committed while the defendant was engaged in the perpetration or was aiding or encouraging another person to perpetrate or attempt to perpetrate a felony of any degree of rape, sodomy, burglary, robbery, kidnapping, or any felony offense in chapter 195, RSMo;

(12) The murdered individual was a witness or potential witness in any past or pending investigation or past or pending prosecution, and was killed as a result of his status as a witness or potential witness;

(13) The murdered individual was an employee of an institution or facility of the department of corrections of this state or local correction agency and was killed in the course of performing his official duties, or the murdered individual was an inmate of such institution or facility;

(14) The murdered individual was killed as a result of the hijacking of an airplane, train, ship, bus or other public conveyance;

(15) The murder was committed for the purpose of concealing or attempting to conceal any felony offense defined in chapter 195, RSMo;

(16) The murder was committed for the purpose of causing or attempting to cause a person to refrain from initiating or aiding in the prosecution of a felony offense defined in chapter 195, RSMo;

(17) The murder was committed during the commission of a crime which is part of a pattern of criminal street gang activity as defined in section 578.421.

3. Statutory mitigating circumstances shall include the following:

(1) The defendant has no significant history of prior criminal activity;

(2) The murder in the first degree was committed while the defendant was under the influence of extreme mental or emotional disturbance;

(3) The victim was a participant in the defendant's conduct or consented to the act;

(4) The defendant was an accomplice in the murder in the first degree committed by another person and his participation was relatively minor;

(5) The defendant acted under extreme duress or under the substantial domination of another person;

(6) The capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was substantially impaired;

(7) The age of the defendant at the time of the crime.]; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bray moved that **House Amendment No. 27** be adopted.

Which motion was defeated by the following vote:

AYES: 032

Bland	Boucher	Bowman	Boykins	Bray 84
Brooks	Campbell	Curls	Daus	Farnen
Fraser	Gambaro	Harding	Harlan	Haywood
Hilgemann	Jones	Liese	McKenna	O'Connor

Paone	Reynolds	Rizzo	Selby	Skaggs
Thompson	Van Zandt	Walker	Walton	Williams
Wilson 25	Wilson 42			

NOES: 104

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Berkstresser
Black	Boatright	Bonner	Britt	Burton
Byrd	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crump	Cunningham	Davis
Enz	Fares	Foley	Franklin	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Lograsso	Long	Luetkenhaus	Marble	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Myers	Naeger	O'Toole	Ostmann
Overschmidt	Phillips	Purgason	Quinn	Ransdall
Rector	Reid	Relford	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Townley	Villa	Wagner
Whorton	Willoughby	Wright	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 026

Barnitz	Behnen	Burcham	Cierpiot	Crowell
Dempsey	Dolan	Froelker	Johnson 61	Jolly
Koller	Linton	Lowe	Luetkemeyer	Marsh
Murphy	Nordwald	Portwood	Reinhart	Richardson
Scheve	Shelton	Treadway	Troupe	Vogel
Ward				

VACANCIES: 001

Representative Gratz requested a verification of the roll call on the motion to adopt **House Amendment No. 27**.

Representative Scott offered **House Amendment No. 28**.

*House Amendment No. 28*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting the following section in the appropriate location:

"302.341. **1.** If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which he **or she** is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against him **or her** for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law,

any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall reinstate the license. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section. If any city, town, or village receives more than [forty-five] **thirty-five** percent of its [total] annual **general operating** revenue from fines **and court costs** for traffic violations occurring on state highways, all revenues from such violations in excess of [forty-five] **thirty-five** percent of the [total] annual **general operating** revenue of the city, town, or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number.

**2. If any city, town, or village fails to send such excess revenues to the director of the department of revenue in a timely fashion which shall be set forth by the director by rule, such city, town, or village shall submit to an annual audit by the state auditor pursuant to the authority of Article IV, Section 13 of the Missouri Constitution. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo. "; and**

Further amend the title and enacting clause accordingly.

On motion of Representative Scott, **House Amendment No. 28** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 29**.

*House Amendment No. 29*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

**"Section 7. Possession of a firearm shall be unlawful for any person:**

**(1) Who is subject to a court order that:**

**(a) Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;**

**(b) Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and**

**(c) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child, or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or**

**(2) Who has been convicted in any court pursuant to the provisions of section 565.072, 565.073 or 565.074.**

**(3) Violation of this section shall be a Class A misdemeanor.";** and

Further amend the title, enacting clause and intersectional references accordingly.



On motion of Representative Riback Wilson (25), **House Amendment No. 29** was adopted.

Representative Shields offered **House Amendment No. 30**.

*House Amendment No. 30*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

"630.140. 1. Information and records compiled, obtained, prepared or maintained by the residential facility, day program operated, funded or licensed by the department or otherwise, specialized service, or by any mental health facility or mental health program in which people may be civilly detained pursuant to chapter 632, RSMo, in the course of providing services to either voluntary or involuntary patients, residents or clients shall be confidential.

2. The facilities or programs shall disclose information and records including medication given, dosage levels, and individual ordering such medication to the following upon their request:

(1) The parent of a minor patient, resident or client;  
(2) The guardian or other person having legal custody of the patient, resident or client;  
(3) The attorney of a patient, resident or client who is a ward of the juvenile court, an alleged incompetent, an incompetent ward or a person detained under chapter 632, RSMo, as evidenced by court orders of the attorney's appointment;

(4) An attorney or personal physician as authorized by the patient, resident or client;  
(5) Law enforcement officers and agencies, information about patients, residents or clients committed pursuant to chapter 552, RSMo, but only to the extent necessary to carry out the responsibilities of their office, and all such law enforcement officers shall be obligated to keep such information confidential;

(6) The entity or agency authorized to implement a system to protect and advocate the rights of persons with developmental disabilities under the provisions of 42 U.S.C. 6042. The entity or agency shall be able to obtain access to the records of a person with developmental disabilities who is a client of the entity or agency if such person has authorized the entity or agency to have such access; and the records of any person with developmental disabilities who, by reason of mental or physical condition is unable to authorize the entity or agency to have such access, if such person does not have a legal guardian, conservator or other legal representative, and a complaint has been received by the entity or agency with respect to such person or there is probable cause to believe that such person has been subject to abuse or neglect. The entity or agency obtaining access to a person's records shall meet all requirements for confidentiality as set out in this section;

(7) The entity or agency authorized to implement a system to protect and advocate the rights of persons with mental illness under the provisions of 42 U.S.C. 10801 shall be able to obtain access to the records of a patient, resident or client who by reason of mental or physical condition is unable to authorize the system to have such access, who does not have a legal guardian, conservator or other legal representative and with respect to whom a complaint has been received by the system or there is probable cause to believe that such individual has been subject to abuse or neglect. The entity or agency obtaining access to a person's records shall meet all requirements for confidentiality as set out in this section. The provisions of this subdivision shall apply to a person who has a significant mental illness or impairment as determined by a mental health professional qualified under the laws and regulations of the state;

(8) To mental health coordinators, but only to the extent necessary to carry out their duties under chapter 632, RSMo.

3. The facilities or services may disclose information and records under any of the following:

(1) As authorized by the patient, resident or client;  
(2) To persons or agencies responsible for providing health care services to such patients, residents or clients;  
(3) To the extent necessary for a recipient to make a claim or for a claim to be made on behalf of a recipient for aid or insurance;

(4) To qualified personnel for the purpose of conducting scientific research, management audits, financial audits, program evaluations or similar studies; provided, that such personnel shall not identify, directly or indirectly, any individual patient, resident or client in any report of such research, audit or evaluation, or otherwise disclose patient, resident or client identities in any manner;

(5) To the courts as necessary for the administration of chapter 211, RSMo, 475, RSMo, 552, RSMo, or 632,

RSMo;

(6) To law enforcement officers or public health officers, but only to the extent necessary to carry out the responsibilities of their office, and all such law enforcement and public health officers shall be obligated to keep such information confidential;

(7) Pursuant to an order of a court or administrative agency of competent jurisdiction;

(8) To the attorney representing petitioners, but only to the extent necessary to carry out their duties under chapter 632, RSMo;

(9) To the department of social services **or the department of health and senior services** as necessary to report or have investigated abuse, neglect, or rights violations of patients, residents, or clients;

(10) To a county board established pursuant to sections 205.968 to 205.972, RSMo 1986, but only to the extent necessary to carry out their statutory responsibilities. The county board shall not identify, directly or indirectly, any individual patient, resident or client.

4. The facility or program shall document the dates, nature, purposes and recipients of any records disclosed under this section and sections 630.145 and 630.150.

5. The records and files maintained in any court proceeding under chapter 632, RSMo, shall be confidential and available only to the patient, his attorney, guardian, or, in the case of a minor, to a parent or other person having legal custody of the patient, and to the petitioner and his attorney. In addition, the court may order the release or use of such records or files only upon good cause shown, and the court may impose such restrictions as the court deems appropriate.

6. Nothing contained in this chapter shall limit the rights of discovery in judicial or administrative procedures as otherwise provided for by statute or rule.

7. The fact of admission of a voluntary or involuntary patient to a mental health facility under chapter 632, RSMo, may only be disclosed as specified in subsections 2 and 3 of this section.

630.167. 1. Upon receipt of a report, the department or its agents, contractors or vendors or the department of health and senior services, if such facility or program is licensed pursuant to chapter 197, RSMo, shall initiate an investigation within twenty-four hours.

2. If the investigation indicates possible abuse or neglect of a patient, resident or client, the investigator shall refer the complaint together with the investigator's report to the department director for appropriate action. If, during the investigation or at its completion, the department has reasonable cause to believe that immediate removal from a facility not operated or funded by the department is necessary to protect the residents from abuse or neglect, the department or the local prosecuting attorney may, or the attorney general upon request of the department shall, file a petition for temporary care and protection of the residents in a circuit court of competent jurisdiction. The circuit court in which the petition is filed shall have equitable jurisdiction to issue an ex parte order granting the department authority for the temporary care and protection of the resident for a period not to exceed thirty days.

3. (1) Reports referred to in section 630.165 and the investigative reports referred to in this section shall be confidential, shall not be deemed a public record, and shall not be subject to the provisions of section 109.180, RSMo, or chapter 610, RSMo; except that: complete copies all such reports shall be open and available to the parents or other guardian of the patient, resident, or client who is the subject of such report, except that the names and any other descriptive information of the complainant or other person mentioned in the reports shall not be disclosed unless such complainant or person specifically consents to such disclosure. All reports referred to in this section shall be admissible in any judicial proceedings or hearing in accordance with section 36.390, RSMo, or any administrative hearing before the director of the department of mental health, or the director's designee. All such reports may be disclosed by the department of mental health to law enforcement officers and public health officers, but only to the extent necessary to carry out the responsibilities of their offices, and to the department of social services, **to the department of health and senior services**, and to boards appointed pursuant to sections 205.968 to 205.990, RSMo, that are providing services to the patient, resident or client as necessary to report or have investigated abuse, neglect, or rights violations of patients, residents or clients provided that all such law enforcement officers, public health officers, department of social services' officers, **department of health and senior services' officers**, and boards shall be obligated to keep such information confidential;

(2) Except as otherwise provided in this section, the proceedings, findings, deliberations, reports and minutes of committees of health care professionals as defined in section 537.035, RSMo, or mental health professionals as defined in section 632.005, RSMo, who have the responsibility to evaluate, maintain, or monitor the quality and utilization of mental health services are privileged and shall not be subject to the discovery, subpoena or other means of legal compulsion for their release to any person or entity or be admissible into evidence into any judicial or administrative action for failure to provide adequate or appropriate care. Such committees may exist, either within

department facilities or its agents, contractors, or vendors, as applicable. Except as otherwise provided in this section, no person who was in attendance at any investigation or committee proceeding shall be permitted or required to disclose any information acquired in connection with or in the course of such proceeding or to disclose any opinion, recommendation or evaluation of the committee or board or any member thereof; provided, however, that information otherwise discoverable or admissible from original sources is not to be construed as immune from discovery or use in any proceeding merely because it was presented during proceedings before any committee or in the course of any investigation, nor is any member, employee or agent of such committee or other person appearing before it to be prevented from testifying as to matters within their personal knowledge and in accordance with the other provisions of this section, but such witness cannot be questioned about the testimony or other proceedings before any investigation or before any committee;

(3) Nothing in this section shall limit authority otherwise provided by law of a health care licensing board of the state of Missouri to obtain information by subpoena or other authorized process from investigation committees or to require disclosure of otherwise confidential information relating to matters and investigations within the jurisdiction of such health care licensing boards; provided, however, that such information, once obtained by such board and associated persons, shall be governed in accordance with the provisions of this subsection;

(4) Nothing in this section shall limit authority otherwise provided by law in subdivisions (5) and (6) of subsection 2 of section 630.140 concerning access to records by the entity or agency authorized to implement a system to protect and advocate the rights of persons with developmental disabilities under the provisions of 42 U.S.C. 6042 and the entity or agency authorized to implement a system to protect and advocate the rights of persons with mental illness under the provisions of 42 U.S.C. 10801. In addition, nothing in this section shall serve to negate assurances that have been given by the governor of Missouri to the U.S. Administration on Developmental Disabilities, Office of Human Development Services, Department of Health and Human Services concerning access to records by the agency designated as the protection and advocacy system for the state of Missouri. However, such information, once obtained by such entity or agency, shall be governed in accordance with the provisions of this subsection.

4. Anyone who makes a report pursuant to this section or who testifies in any administrative or judicial proceeding arising from the report shall be immune from any civil liability for making such a report or for testifying unless such person acted in bad faith or with malicious purpose.

5. Within five working days after a report required to be made pursuant to this section is received, the person making the report shall be notified in writing of its receipt and of the initiation of the investigation.

6. No person who directs or exercises any authority in a residential facility, day program or specialized service shall evict, harass, dismiss or retaliate against a patient, resident or client or employee because he or she or any member of his or her family has made a report of any violation or suspected violation of laws, ordinances or regulations applying to the facility which he or she has reasonable cause to believe has been committed or has occurred.

7. Any person who is discharged as a result of an administrative substantiation of allegations contained in a report of abuse or neglect may, after exhausting administrative remedies as provided in chapter 36, RSMo, appeal such decision to the circuit court of the county in which such person resides within ninety days of such final administrative decision. The court may accept an appeal up to twenty-four months after the party filing the appeal received notice of the department's determination, upon a showing that:

(1) Good cause exists for the untimely commencement of the request for the review;

(2) If the opportunity to appeal is not granted it will adversely affect the party's opportunity for employment; and

(3) There is no other adequate remedy at law.

630.170. 1. A person **listed on the department of mental health disqualification registry pursuant to this section, a person listed on the department of social services or the department of health and senior services employee disqualification list pursuant to section 660.315, RSMo, a person convicted of, or who entered a plea of guilty or nolo contendere to**, any crime pursuant to section 630.155 or 630.160 shall be disqualified from holding any position in any public or private facility or day program operated, funded or licensed by the department or in any mental health facility or mental health program in which people are admitted on a voluntary or involuntary basis or are civilly detained pursuant to chapter 632, RSMo.

2. A person convicted of, **or who entered a plea of guilty or nolo contendere to**, any felony offense against persons as defined in chapter 565, RSMo; of any felony sexual offense as defined in chapter 566, RSMo; of any felony offense defined in section **568.020**, 568.045, 568.050, 568.060, 569.020, **569.025**, 569.030, **569.035**, 569.040 [or], 569.050, **560.070**, or **569.160**, RSMo, or of an equivalent felony offense, **or any violation of subsection 3 of section 198.070, RSMo**, shall be disqualified from holding any direct-care position in any public or private facility, day

program, residential facility or specialized service operated, funded or licensed by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632, RSMo.

**3. Any person who receives a suspended imposition of sentence (SIS) or a suspended execution of sentence (SES) following a plea of guilty to any of the disqualifying offenses listed in subsection 1 or 2 of this section shall remain disqualified.**

**4.** Any person disqualified pursuant to the provisions of subsection 1 or 2 of this section may appeal the disqualification to the director of the department or the director's designee. The request shall be written and may not be made more than once every twelve months. The request may be granted by the director or designee if in the judgment of the director or designee a clear showing has been made by written submission only, that the person will not commit any additional acts for which the person had originally been disqualified for or any other acts that would be harmful to a patient, resident or client of a facility, program or service. The director or designee may grant the appeal subject to any conditions deemed appropriate and failure to comply with such terms may result in the person again being disqualified. Decisions by the director or designee pursuant to the provisions of this subsection shall not be subject to appeal. The right to appeal pursuant to this subsection shall not apply to persons [convicted of] **listed on the department of social services or the department of health and senior services employee disqualification list pursuant to section 660.315, RSMo, or persons disqualified from employment for any crime pursuant to the provisions of chapter 566 [or 568], RSMo, or section 565.020 [or], 565.021, 568.020, 568.060, 569.025, or 569.070, RSMo.**

**5. An applicant for a direct care position in any public or private facility, day program, residential facility, or specialized service operated, funded, or licensed by the department or any mental health facility or mental health program in which persons are admitted on a voluntary basis or are civilly detained pursuant to chapter 632, RSMo, shall:**

**(1) Sign a consent form required by section 43.540, RSMo, to provide written consent for a criminal record review;**

**(2) Disclose the applicant's criminal history. For purposes of this subdivision, "criminal history" includes any conviction or plea of guilty to a misdemeanor or felony offense and shall include any suspended imposition of sentence, suspended execution of sentence, or period of probation or parole; and**

**(3) Disclose if the applicant is listed on the employee disqualification list pursuant to section 660.315, RSMo, or the department of mental health disqualification registry pursuant to this section.**

**6. Any person who receives a good cause waiver issued by the department of health and senior services pursuant to subsection 9 of section 660.317, RSMo, shall not require an additional exception pursuant to this section to be employed in a long-term care facility licensed pursuant to chapter 198, RSMo.**

**7. Any public or private residential facility, day program, or specialized service licensed, certified, or funded by the department shall, no later than two business days after the hiring of a person for a full-time, part-time, or temporary position to have contact with clients, residents, or patients, shall:**

**(1) Request a criminal background check pursuant to section 43.540, RSMo;**

**(2) Make an inquiry to the department of social services and the department of health and senior services on whether the person is listed on the employee disqualification list pursuant to section 660.315, RSMo; and**

**(3) Make an inquiry to the department of mental health on whether the person is listed on the disqualification registry pursuant to this section.**

**[4.] 8.** The department may maintain a disqualification registry and place on the registry the names of any persons who have been finally determined by the department to be disqualified pursuant to this section, or who have had administrative substantiations made against them for abuse or neglect pursuant to department rule. Such list shall reflect that the person is barred from holding any position in any public or private facility or day program operated, funded or licensed by the department, or any mental health facility or mental health program in which persons are admitted on a voluntary basis or are civilly detained pursuant to chapter 632, RSMo.

660.317. 1. For the purposes of this section, the term "provider" means any person, corporation or association who:

**(1) Is licensed as an operator pursuant to chapter 198, RSMo;**

**(2) Provides in-home services under contract with the department;**

**(3) Employs nurses or nursing assistants for temporary or intermittent placement in health care facilities; or**

**(4) Is an entity licensed pursuant to chapter 197, RSMo[;**

**(5) Is a public or private facility, day program, residential facility or specialized service operated, funded or**

licensed by the department of mental health].

2. For the purpose of this section "patient or resident" has the same meaning as such term is defined in section 43.540, RSMo.

3. Beginning August 28, 1997, not later than two working days of hiring any person for a full-time, part-time or temporary position to have contact with any patient or resident the provider shall, or in the case of temporary employees hired through an employment agency, the employment agency shall prior to sending a temporary employee to a provider:

(1) Request a criminal background check as provided in section 43.540, RSMo. Completion of an inquiry to the highway patrol for criminal records that are available for disclosure to a provider for the purpose of conducting an employee criminal records background check shall be deemed to fulfill the provider's duty to conduct employee criminal background checks pursuant to this section; except that, completing the inquiries pursuant to this subsection shall not be construed to exempt a provider from further inquiry pursuant to common law requirements governing due diligence; and

(2) Make an inquiry to the department of social services, whether the person is listed on the employee disqualification list as provided in section 660.315.

4. When the provider requests a criminal background check pursuant to section 43.530, RSMo, the requesting entity may require that the applicant reimburse the provider for the cost of such record check.

5. An applicant for a position to have contact with patients or residents of a provider shall:

(1) Sign a consent form as required by section 43.540, RSMo, so the provider may request a criminal records review;

(2) Disclose the applicant's criminal history. For the purposes of this subdivision "criminal history" includes any conviction or a plea of guilty to a misdemeanor or felony charge and shall include any suspended imposition of sentence, any suspended execution of sentence or any period of probation or parole; and

(3) Disclose if the applicant is listed on the employee disqualification list as provided in section 660.315.

6. An applicant who knowingly fails to disclose his criminal history as required in subsection 5 of this section is guilty of a class A misdemeanor. A provider is guilty of a class A misdemeanor if the provider knowingly hires a person to have contact with patients or residents and the person has been convicted of, pled guilty to or nolo contendere in this state or any other state or has been found guilty of a crime, which if committed in Missouri would be a class A or B felony violation of chapter 565, 566 or 569, RSMo, or any violation of subsection 3 of section 198.070, RSMo, or section 568.020, RSMo.

7. The highway patrol shall examine whether protocols can be developed to allow a provider to request a statewide fingerprint criminal records review check through local law enforcement agencies.

8. A provider may use a private investigatory agency rather than the highway patrol to do a criminal history records review check, and alternatively, the applicant pays the private investigatory agency such fees as the provider and such agency shall agree.

9. The department of social services shall promulgate rules and regulations to waive the hiring restrictions pursuant to this section for good cause. For purposes of this section, "good cause" means the department has made a determination by examining the employee's prior work history and other relevant factors that such employee does not present a risk to the health or safety of residents."; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shields, **House Amendment No. 30** was adopted.

Representative Fraser offered **House Amendment No. 31**.

*House Amendment No. 31*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

"570.033. 1. Any person who, without lawful authority, willfully takes another's animal with the intent to deprive [him] **the other** of [his] **such** property is guilty of a class D felony.

2. Any person who, without lawful authority, willfully takes another's dog or a law enforcement or rescue animal with the intent to sell such dog, is guilty of a class C felony.

3. Any person who knowingly purchases a stolen dog is guilty of a class C felony.

4. The department of public safety shall create a registry of missing or stolen dogs. The department shall place such registry on the Internet to allow registration through the Internet and allow searches of the registry for animals listed as missing or stolen. Any person who has reported the loss of his or her dog to an appropriate law enforcement agency may register such dog with the department and shall include the date and place of the notification of an appropriate law enforcement agency and any of the dog's identifying features, tags, tattoos or electronic chips in such registry. The department may adopt rules to implement the provisions of this subsection. The department may charge a fee for registration that does not substantially exceed the cost of the program.

5. Any person purchasing a dog for research purposes shall examine such dog for identification markers and shall examine the missing or stolen dog registry. If the dog is found on the registry, the person shall contact the owner for verification. In the event the person believes that the dog may have been stolen, the person shall notify a department of law enforcement of the county in which the sale took place.

6. Any dog sold to a licensed dealer for research purposes shall be accompanied by a health certificate, issued by a licensed veterinarian, that includes all identifying features, tags, tattoos or electronic chips.

7. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

570.035. 1. No person shall knowingly remove any identification marker or tag from another's dog without the other person's permission.

2. Any person who violates the provisions of subsection 1 of this section is guilty of a class C felony.”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraser, **House Amendment No. 31** was adopted.

Representative Behnen offered **House Amendment No. 32**.

*House Amendment No. 32*

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1577, 1760, 1433, 1430, 1029 & 1700, by inserting in the appropriate location the following:

“Section 7. Any person who has been convicted of or found guilty of a violation pursuant to Section 302.020, RSMo, in which the court imposes no sentence shall be entitled to file and perfect an appeal of the court's finding. Any person found guilty of any offense under Section 302.020 after August 28, 1999, shall have 30 days after the effective date of this section in which to file, perfect and prosecute an appeal.”; and

Further amend said bill by amending said title, enacting clause and intersectional references accordingly.

On motion of Representative Behnen, **House Amendment No. 32** was adopted.

Representative Fraser offered **House Amendment No. 33**.

**House Amendment No. 33** was withdrawn.

On motion of Representative Britt, **HS HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700, as amended**, was adopted.

On motion of Representative Britt, **HS HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700, as amended**, was ordered perfected and printed.

**HB 1090**, relating to tanning facilities, was taken up by Representative Reynolds.

Representative Reynolds offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1090, Page 2, Section 324.1156, Line 36, by striking the following “WILL NOT” and inserting in lieu thereof the following “**ARE UNLIKELY TO**”; and

Further amend said bill, Page 3, Section 324.159, Line 15, by inserting immediately after the word “to” the following: “**no more than**”; and

Further amend said section, Page 3, Line 27, by striking all of said line and inserting in lieu thereof the following:

**“4. Before any person over the age of thirteen and under the age of eighteen uses a tanning”.**

On motion of Representative Reynolds, **House Amendment No. 1** was adopted.

Representative Willoughby assumed the Chair.

Representative Shields offered **House Amendment No. 2**.

Representative Reynolds raised a point of order that **House Amendment No. 2** is frivolous.

Representative Willoughby requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Reynolds moved that **HB 1090, as amended**, be ordered perfected and printed.

Which motion was defeated by the following vote:

AYES: 040

Barry 100	Bonner	Boucher	Bray 84	Brooks
Campbell	Clayton	Crump	Daus	Farnen
Foley	Franklin	Gambaro	George	Green 15
Harding	Haywood	Hilgemann	Holand	Hoppe
Hosmer	Johnson 90	Jolly	Jones	Lowe
Luetkenhaus	Mays 50	Monaco	Murphy	Portwood
Reynolds	Rizzo	Selby	Smith	Thompson
Treadway	Whorton	Williams	Wilson 25	Wilson 42

NOES: 099

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bowman	Britt
Burton	Byrd	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Cunningham	Davis	Dolan
Enz	Fares	Fraser	Froelker	Gaskill
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hollingsworth	Holt	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Marble
May 149	Mayer	McKenna	Merideth	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Shields	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Townley	Villa	Vogel	Walker
Walton	Willoughby	Wright	Mr. Speaker	

PRESENT: 003

Boykins	Curls	Johnson 61
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ABSENT WITH LEAVE: 020

Baker	Burcham	Crawford	Crowell	Dempsey
Green 73	Harlan	Hickey	Hohulin	Linton
Long	Luetkemeyer	Marsh	O'Toole	Paone
Shelton	Troupe	Van Zandt	Wagner	Ward

VACANCIES: 001

**HB 1508**, relating to outdoor advertising, was taken up by Representative Koller.

Representative Koller offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1508, Page 11, Section 226.585, Lines 5-7, by deleting all of said lines and inserting in lieu thereof the following:

"by the owner of such billboard. **The right to a vegetation permit by an outdoor advertising permit holder shall be issued in accordance with the current rules and regulations promulgated by the highways and transportation commission.**"; and

Further amend said bill, Page 11, Section 226.585, Lines 13-19, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Koller, **House Amendment No. 1** was adopted.



Representative Koller offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Bill No. 1508, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following: "**five new sections relating to highway beautification.**"; and

Further amend said bill, Page 11, Section B, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Koller, **House Amendment No. 2** was adopted.

Representative Roark offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Bill No. 1508, Pages 6 and 7, Section 226.550, Line 6 and Lines 23 and 24, by deleting "two hundred dollars" and inserting in lieu thereof "**twenty-eight dollars and fifty cents**"; and

Further amend said section, Line 44, by deleting "2002, and prior to August 28, 2003" and inserting in lieu thereof "**1992**"; and

Further amend said section, Lines 45 through 47, by deleting "fifty dollars. Biennial inspection fees due on or after August 28, 2003, shall be seventy-five dollars. Biennial inspection fees due on or after August 28, 2004 shall be one hundred dollars" and inserting in lieu thereof "**twenty-eight dollars and fifty cents**".

Representative Roark moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Boatright	Burton	Byrd	Cierpiot
Cooper	Crawford	Cunningham	Enz	Fares
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Jetton	Kelley 47	Kelly 144	King	Lawson
Luetkemeyer	Marble	May 149	Miller	Moore
Murphy	Myers	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Roark	Scott
Secrest	Shields	Shoemaker	St. Onge	Townley
Villa	Vogel	Wright		

NOES: 091

Abel	Barnitz	Barry 100	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Champion	Clayton	Copenhaver	Curls	Daus
Davis	Dolan	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell

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Hampton	Harding	Harlan	Haywood	Hilgemann
Hollingsworth	Holt	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Koller
Legan	Liese	Lowe	Luetkenhaus	Mayer
Mays 50	McKenna	Merideth	Monaco	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Ransdall	Reid	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Seigfreid	Selby	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Walker	Walton
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Bartelsmeyer	Burcham	Crowell	Crump
Dempsey	Gaskill	Hickey	Hohulin	Holand
Hoppe	Hunter	Linton	Lograsso	Long
Marsh	Paone	Ridgeway	Shelton	Troupe
Van Zandt	Wagner	Ward		

VACANCIES: 001

Representative Jetton offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Bill No. 1508, Page 3, Section 266.540, Line 54, by deleting the words “**one thousand four hundred**” and inserting in lieu thereof the words “**eight hundred**”.

Representative Jetton moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Koller, **HB 1508, as amended**, was ordered perfected and printed.

**PERFECTION OF HOUSE BILLS - INFORMAL**

**HB 1594, as amended**, relating to correctional officer pay raise, was taken up and placed back on the Informal Calendar.

**HCS HB 1069**, relating to wage practices, was taken up and placed back on the Informal Calendar.

**HCS HB 1479**, relating to emergency preparedness resource act, was taken up and placed back on the Informal Calendar.

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 2166** - Miscellaneous Bills & Resolutions

### **RE-REFERRAL OF SENATE BILL**

The following Senate Bill was re-referred to the Committee indicated:

**SCS SB 1227** - Insurance

### **COMMITTEE REPORTS**

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1439**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

#### *House Committee Amendment No. 1*

AMEND House Bill No. 1439, Page 4, Section 348.432, Line 36, by deleting all of said line and inserting in lieu thereof the following: "**who, beginning July 1, 2004, is domiciled in the state of Missouri may receive a credit**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1794**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

#### *House Committee Amendment No. 1*

AMEND House Bill No. 1794, Page 2, Section 578.407, Lines 15 to 16, by deleting all of said lines and inserting in lieu thereof the following:

**"(7) Photograph, videotape, or otherwise obtain images from within a structure that an animal is housed without the express written consent of the animal facility;"**; and

Further amend said title, enacting clause and intersectional references accordingly.

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1863**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Budget**, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1120**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1121**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1923**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1198**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1445**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1780**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Criminal Law**, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **HB 1211**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1084**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1191**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1721**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Education-Higher**, Chairman Williams reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 1321** and **HB 1491**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Elections**, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1663**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Insurance**, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1970**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Labor**, Chairman George reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1427**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1530**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 25

Relating to the creation of the Missouri Commission on the Delta Regional Authority.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Whereas, the President and United States Congress have created the Delta Regional Authority; and

Whereas, the Delta Regional Authority would bring the resources of a Federal-State partnership to the region for economic growth and provide funding for infrastructure and economic development needed to make prosperity possible in the Delta; and

Whereas, the federally designated Authority covers 29 counties in the Southeastern and South Central State of Missouri; and

Whereas, the affected counties in Missouri desire to participate with the Delta Regional Authority in any policy development and programs for the region:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby authorize the creation of the "Missouri Commission on the Delta Region Authority"; and

Be it further resolved that the Missouri Commission on the Delta Region Authority shall make recommendations to the General Assembly and the Governor regarding the Delta Region Authority. Such recommendations may cover principles and procedures for policy development; development of a state plan; prioritization of funding with consideration to poverty, joblessness, lack of job availability, literacy rates, and level of education; and economic and infrastructure development; and

Be it further resolved that the Missouri Commission on the Delta Region Authority may accept general revenue funds and other funds as may be appropriated to it; and

Be it further resolved that the Missouri Commission on the Delta Region Authority shall be composed of:

(1) One local board member, appointed by the governor, representing each of the five regional planning commissions serving the area;

(2) Three members of the public appointed by the governor, with one member representing the interests of agriculture, one member representing business and industry, and one member representing education;

(3) Four members of the House of Representatives, appointed by the Speaker, representing the counties in the region;

(4) Two members of the Senate, appointed by the President Pro Tem of the Senate, representing the counties in the region; and

(5) The Directors of the Departments of Economic Development, Transportation, and Agriculture; the Commissioner of Education; and the Commissioner of Higher Education as ex officio members; and

Be it further resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1596**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 1813**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HB 2137**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Municipal Corporations**, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1708**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Professional Registration and Licensing**, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1723**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Social Services, Medicaid and the Elderly**, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1485**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Sportsmanship, Safety and Firearms**, Chairman Barnitz reporting:

Mr. Speaker: Your Committee on Sportsmanship, Safety and Firearms, to which was referred **HB 1680**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1570**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 662 & 704**, entitled:

An act to repeal sections 150.465, 191.905, 252.235, 367.031, 367.044, 367.055, 569.095, 569.097, 569.099, 570.010, 570.020, 570.030, 570.080, 570.085, 570.090, 570.120, 570.123, 570.125, 570.130, 570.210, 570.300, 578.150, 578.377, 578.379, 578.381 and 578.385, RSMo, relating to stolen property and services, and to enact in lieu thereof twenty-seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 688, 663, 691, 716, 759, 824 & 955**, entitled:

An act to repeal sections 137.073, 137.115, 138.060 and 138.100, RSMo, relating to the assessment and levy of property taxes, and to enact in lieu thereof four new sections relating to the same subject, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 739**, entitled:

An act to repeal sections 436.200, 436.205, 436.209 and 436.212, RSMo, and to enact in lieu thereof eighteen new sections relating to athlete agents.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 984 & 985**, entitled:

An act to repeal sections 250.140, 640.100, 643.220, 644.016, 644.036, 644.051, 644.052 and 644.076, RSMo, relating to the department of natural resources, and to enact in lieu thereof twelve new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1014**, entitled:

To repeal sections 28.600, 28.603, 28.606, 28.609, 28.612, 28.615, 28.618, 28.621, 28.624, 28.627, 28.630, 28.633, 28.636, 28.639, 28.642, 28.645, 28.648, 28.651, 28.654, 28.657, 28.660, 28.663, 28.666, 28.669, 28.672, 28.675, 28.678 and 28.681, RSMo, relating to the uniform electronic transactions act, and to enact in lieu thereof seventeen new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1026**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance coverage.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1060**, entitled:

An act to repeal sections 52.250, 52.290 and 59.042, RSMo, relating to county collectors and treasurers ex officio collectors, and to enact in lieu thereof ten new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1107**, entitled:

An act to repeal sections 190.044, 190.050, 190.092, 190.094, 190.100, 190.101, 190.102, 190.105, 190.108, 190.109, 190.120, 190.142, 190.143, 190.160, 190.165, 190.171, 190.175, 190.185, 190.196 and 321.130, RSMo, relating to provisions of emergency services, and to enact in lieu thereof thirty-three new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SRB 1236**, entitled:

To repeal sections 141.265, 142.027, 313.335, 640.169, 640.170, 640.172, 640.175, 640.177, 640.179, 640.180, 640.182, 640.185, 640.195, 640.200, 640.203, 640.205, 640.207, 640.210, 640.212, 640.215 and 640.218, RSMo 2000, and section 217.440 as enacted by senate committee substitute for senate bill no. 430 of the eighty-ninth general assembly, first regular session, for the purpose of repealing expired provisions of law and sections made obsolete by expired provisions of law.



In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative McKenna, the House adjourned until 10:00 a.m., Wednesday, April 24, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-first Day, Thursday, April 11, 2002, page 1074, line 28, by deleting the words **“by Consent”**.

Correct House Journal, Fifty-sixth Day, Monday, April 22, 2002, pages 1205 and 1206, roll call, by showing Representatives Enz and Hoppe voting "no" rather than "absent with leave".

Pages 1206 and 1207, roll call, by showing Representative Hoppe voting "no" rather than "absent with leave".

Pages 1208 and 1209, roll call, by showing Representatives Hoppe and Reynolds voting "aye" rather than "absent with leave".

Pages 1210 and 1211, roll call, by showing Representatives Hoppe and Kelly (144) voting "aye" rather than "absent with leave".

Pages 1210 and 1211, roll call, by showing Representative Copenhaver voting "no" rather than "absent with leave".

Page 1212, roll call, by showing Representatives Hoppe and Paone voting "aye" rather than "absent with leave".

Pages 1213 and 1214, roll call, by showing Representative Hoppe voting "aye" rather than "absent with leave".

Pages 1213 and 1214, roll call, by showing Representatives Scott and Ward voting "no" rather than "absent with leave".

Pages 1214 and 1215, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1214 and 1215, roll call, by showing Representative Murphy voting "no" rather than "absent with leave".

Pages 1215 and 1216, roll call, by showing Representatives Carnahan, Dempsey, Froelker, Murphy and Ward voting "no" rather than "absent with leave".

Pages 1216 and 1217, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1217 and 1218, roll call, by showing Representatives Carnahan and Hosmer voting "aye" rather than "absent with leave".

Pages 1217 and 1218, roll call, by showing Representative Smith voting "no" rather than "absent with leave".

Pages 1219 and 1220, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1219 and 1220, roll call, by showing Representative Froelker voting "no" rather than "absent with leave".

Pages 1220 and 1221, roll call, by showing Representatives Carnahan and Reynolds voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **ADMINISTRATION AND ACCOUNTS**

Wednesday, April 24, 2002, 12:30 p.m. Hearing Room 6.

### **BANKS AND FINANCIAL INSTITUTIONS**

Wednesday, April 24, 2002. Hearing Room 3 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: SB 884

### **CIVIL AND ADMINISTRATIVE LAW**

Wednesday, April 24, 2002. Hearing Room 1 upon morning recess. **AMENDED.**

Executive Session continued on SS SCS SB 969,673 & 855.

Public Hearing to be held on: SB 740, SB 843

### **CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Wednesday, April 24, 2002, 9:15 a.m. Hearing Room 4.

Executive Session.

### **EDUCATION - ELEMENTARY AND SECONDARY**

Wednesday, April 24, 2002, 8:00 a.m. Hearing Room 3. **AMENDED.**

Possible executive Session on HCR 40,HCR 36,SCS SB 722, SB 860,SCS SB 756 and SB 718.

Public Hearing to be held on: HCR 40, SCR 36

**FISCAL REVIEW AND GOVERNMENT REFORM**

Thursday, April 25, 2002, 9:00 a.m. Hearing Room 5.

Fiscal Review.

Public Hearing to be held on: HB 1695, HB 1717, HB 1726

**JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT**

Wednesday, April 24, 2002, 8:30 a.m. Hearing Room 5. U.S.

Custom House & Post Office Building in St. Louis.

Master Plan for development of JCCC prison site.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, April 30, 2002, 1:00 p.m. Hearing Room 3.

Fire Protection District Special Review.

**JUDICIARY**

Thursday, April 25, 2002, 9:30 a.m. Hearing Room 6.

Executive Session to be held on: SB 840

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, April 24, 2002, 8:30 a.m. Hearing Room 6. AMENDED.

Executive Session may follow.

Public Hearing to be held on: SB 894, SCR 44, SCR 48, SCR 49, SCR 54

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, April 30, 2002, 8:00 p.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 670, SCR 35

**HOUSE CALENDAR**

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 24, 2002

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 47 - Willoughby

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

1 HCS HB 1120 - Green (73)

2 HB 1121 - Green (73)

**HOUSE BILLS FOR PERFECTION**

1 HB 1350 - Liese

2 HCS HB 1656 - Wright

- 3 HCS HB 1216 - Johnson (61)
- 4 HB 1627 - Kreider
- 5 HCS HB 1886 - Rizzo
- 6 HB 1307 - Williams
- 7 HB 1988 - Kelly (144)
- 8 HCS HB 1868 - Barry
- 9 HB 2160 - Britt
- 10 HCS HB 1650 - Hoppe
- 11 HB 1916 - Franklin
- 12 HCS HB 1231 - Harding
- 13 HB 2097 - Copenhaver
- 14 HCS HB 1318 - George
- 15 HCS HB 1777 - Johnson (61)
- 16 HCS HB 1576 - Hilgemann
- 17 HCS HB 1914 - Mays (50)
- 18 HB 2137 - Crump
- 19 HCS HB 1680 - Hampton
- 20 HB 1708 - Daus
- 21 HB 1427 - Hosmer
- 22 HCS HB 1863 - Whorton
- 23 HCS HB 1923 - Barry
- 24 HB 1813 - Monaco
- 25 HB 1530 - Hoppe
- 26 HB 1721 - Shelton
- 27 HB 1211 - Smith
- 28 HB 1191 - Davis
- 29 HB 1198 - Graham
- 30 HB 1794, HCA 1 - Legan
- 31 HCS HB 1570 - Koller
- 32 HCS HB 1780 - Green (73)
- 33 HCS HB 1445 - Smith
- 34 HB 1663 - Seigfreid
- 35 HB 1596 - Harding
- 36 HB 1084 - Fraser
- 37 HCS HB 1321 & 1491 - Williams
- 38 HCS HB 1723 - Boucher
- 39 HB 1485 - Johnson (90)
- 40 HB 1439, HCA 1 - Myers
- 41 HB 1970 - Townley

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1594, as amended - Gratz
- 2 HCS HB 1069 - Bray
- 3 HCS HB 1479 - Ladd Baker

**HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCR 4, (4-18-02, page 1224) - Boucher
- 2 HCR 25, (4-23-02) - Merideth

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HJR 32 - Barry
- 2 HJR 28 - Villa
- 3 HCS HJR 51 - Whorton

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1460 - Hilgemann
- 3 HS HCS HB 1962 - Monaco
- 4 HCS HB 1143 - Rizzo
- 5 HB 1726, (Fiscal Review 4-22-02) - Walton
- 6 HCS HB 1717, (Fiscal Review 4-22-02) - Foley
- 7 HCS HB 1695, (Fiscal Review 4-22-02) - Selby
- 8 HS HCS HB 1936 - Shoemyer (9)
- 9 HS HCS HB 1729, 1589 & 1435 - Barnitz

**HOUSE BILL FOR THIRD READING - REVISION**

HB 2078 - Clayton

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 2155 - Willoughby

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 662 & 704
- 2 SS#2 SCS SB 688, 663, 691, 716, 759, 824 & 955
- 3 SCS SB 739
- 4 SS#2 SCS SB 984 & 985
- 5 SB 1014
- 6 SCS SB 1026
- 7 SCS SB 1060
- 8 SS SCS SB 1107
- 9 SB 1236

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988 - Hartzler
- 2 HCS SCS SB 645 - Relford
- 3 HCS SB 992 - Rizzo
- 4 SB 1124 - Gambaro
- 5 SCS SB 804 - Sanders Brooks
- 6 SB 639 - Williams
- 7 HCS SCS SB 776 - Harlan
- 8 HCS SCS SB 1113 - Farnen
- 9 SCS SB 997 - Willoughby
- 10 HCS SB 1012 - Lawson
- 11 HCS SB 795 - Treadway
- 12 HCS SCS SB 1086 & 1126 - Hoppe
- 13 HCS SB 786 - Campbell
- 14 SCS SB 1132 - Daus
- 15 HCS SB 1244 - Barry
- 16 HCS SB 961 - Curls
- 17 SB 708 - Lawson
- 18 SB 701 - Lowe
- 19 SB 742 - Monaco
- 20 HCS SB 749 - Monaco
- 21 HCS SB 1213 - Hosmer
- 22 HCS SCS SB 1210 - Lawson
- 23 SB 1247 - Willoughby
- 24 SB 1001 - Crump
- 25 HCS SB 1078 - Hoppe
- 26 SB 941 - Mays (50)
- 27 HCS SB 695 - Barry
- 28 HCS SB 962 - Jolly
- 29 HCS SB 1119 - Kelly (27)
- 30 SB 1217 - Boykins
- 31 SCS SB 967 - Hagan-Harrell
- 32 SB 1243 - McKenna
- 33 HCS SCS SB 1212 - Ransdall
- 34 SB 1041, HCAs 1, 2 & 3 - Gratz
- 35 SB 1168, HCA 1 - Gratz
- 36 SB 974 - Koller
- 37 HCS SB 1251 - Monaco
- 38 SCS SB 1163 - Ransdall
- 39 SB 720 - Hoppe
- 40 HCS SB 714 - Barry
- 41 SCS SB 729 - Luetkenhaus
- 42 SB 891 - Rizzo
- 43 HCS SB 932 - Smith

- 44 SCS SB 1015 - Relford
- 45 SCS SB 1071 - Lawson
- 46 HCS SB 1094 - Green (73)
- 47 SB 1048 - Reinhart
- 48 SB 1028 - Luetkemeyer
- 49 SB 812 - Holand
- 50 SB 726 - Gaskill
- 51 SB 865 - Myers
- 52 SCS SB 918 - Linton
- 53 HCS SB 1102 - Hosmer
- 54 SB 1109 - Portwood
- 55 HCS SCS SB 947 - Farnen
- 56 SCS SB 1207 - Holand
- 57 SCS SB 1151 - Myers
- 58 HCS SCS SB 980 - Hunter
- 59 SCS SB 874 - Franklin
- 60 HCS SB 1186 - Hoppe
- 61 SCS SB 1182 - Barry
- 62 HCS SCS SB 1202, E.C. - Koller
- 63 HCS SB 758 - Hosmer
- 64 SCS SB 1024 - Holand
- 65 SB 976 - Portwood
- 66 SB 644 - Davis
- 67 SCS SB 1241, 1253 & 1189 - Boykins
- 68 SCS SB 966 - Gambaro
- 69 SB 798 - Ross
- 70 SCS SB 745 - Kelly (144)
- 71 HCS SB 950 - Griesheimer
- 72 SB 1199, HCA 1 - Bearden
- 73 HCS SCS SB 960 - O'Connor
- 74 HCS SCS SB 1093 - Hilgemann
- 75 SB 831 - Gambaro
- 76 HCS SCS SB 957 - Reid
- 77 SCS SB 656 - Luetkenhaus
- 78 HCS SCS SB 737 - Berkowitz

#### **SENATE BILL FOR THIRD READING**

SB 1220 - O'Toole

#### **HOUSE RESOLUTIONS**

- 1 HR 341, (3-7-02, Page 518) - Ladd Baker
- 2 HR 281, (4-9-02, Pages 1021 & 1022) - Hampton

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 24, 2002

Speaker Kreider in the Chair.

Prayer by Marilyn Seaton.

Almighty God, creator of all things good, You are the author of our liberty, and by Your hand we are given every gift necessary for our lives. Keep us mindful of the price that has been paid for our freedom and the cost to maintain freedom.

Grant Your grace to the Speaker and all the men and women of the House, as they seek to serve the people of Missouri. Illuminate minds, touch hearts, that the actions of this day may reflect Your Holy truth. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lucy Hanaway, Tyler Conner, Kevin Casey, Garth Sherman, Kevin Coyne, Colin Rohde, Andrew Connor, Regan Post, Daniel Hampel, John Merlo, Tatiana (Tanya) Kuzmina, Alexis Snowgen, Julia Scales, Drew Thome and Andrew Truetzel.

The Journal of the fifty-seventh day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1496

and

House Resolution No. 1497 - Representatives Lograsso and Ross

House Resolution No. 1498

and

House Resolution No. 1499 - Representatives Rector and Cooper

House Resolution No. 1500 - Representative Rector

House Resolution No. 1501 - Representative Copenhaver

House Resolution No. 1502 - Representatives Scott and Moore

## SECOND READING OF SENATE BILLS

SCS SBs 662 & 704, SS#2 SCS SBs 688, 663, 691, 716, 759, 824 & 955, SCS SB 739, SS#2 SCS SBs 984 & 985, SB 1014, SCS SB 1026, SCS SB 1060, SS SCS SB 1107 and SB 1236 were read the second time.



## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1508** and **HS HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 1717 (Fiscal Note)**, begs leave to report it has been furnished an updated fiscal note and does not require fiscal review.

## PERFECTION OF HOUSE BILL - INFORMAL

**HB 1594, as amended**, relating to pay raises for correctional officers, was taken up by Representative Gratz.

Representative Gratz offered **HS HB 1594**.

Representative Seigfreid offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Substitute for House Bill No. 1594, Page 1, Section 105.935, Lines 14 through 20, by striking all of said lines and inserting in lieu thereof the following:

**“2. A state employee shall be paid at a rate of one and one half time the employee’s straight time hourly rate for all time worked in excess of forty hours a week. Any state employee who works on a designated state holiday shall be granted equal compensatory time off duty or shall receive, at his or her choice, the employee’s straight time hourly rate in cash payment. A state employee shall be paid in cash for overtime unless the employee requests compensatory time off at the applicable overtime rate. As used in this section, the term “state employee” means any person who is employed by the state and earns a salary or wage in a position normally requiring the actual performance by him or her of duties on behalf of the state.”; and**

Further amend said section, Line 22, by inserting immediately after the word “employees” the following:

**“paid by an hourly rate”;** and

Further amend said section, Page 2, Line 3, by inserting immediately at the end of said line the following:

**“All state employees paid by an hourly rate shall have the option of retaining at least eighty compensatory time hours at the end of each calendar year.”.**

Speaker Pro Tem Abel assumed the Chair.

Representative Bearden offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Substitute for House Bill No. 1594, Page 1, Section 105.935, Lines 14 through 20, by striking all of said lines and inserting in lieu thereof the following:

**“2. A state employee shall be paid at a rate of one and one half time the employee’s straight time hourly rate for all time worked in excess of forty hours a week. Any state employee who works on a designated state holiday shall be granted equal compensatory time off duty or shall receive, at his or her choice, the employee’s straight time hourly rate in cash payment. A state employee shall be paid in cash for overtime unless the employee requests compensatory time off at the applicable overtime rate. As used in this section, the term “state employee” means any person who is employed by the state and earns a salary or wage in a position normally requiring the actual performance by him or her of duties on behalf of the state.”; and**

Further amend said section, Line 22, by inserting immediately after the word “employees” the following:

**“paid by an hourly rate”;** and

Further amend said section, Page 2, Line 3, by inserting immediately at the end of said line the following;

**“All state employees paid by an hourly rate shall have the option of retaining up to a total of eighty compensatory time hours.”.**

On motion of Representative Bearden, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2**.

Representative Foley raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Byrd appealed the ruling of the Chair.

The ruling of the Chair was sustained by the following vote:

AYES: 079

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hickey
Hilgemann	Hollingsworth	Holt	Hosmer	Johnson 61

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Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	O'Connor	O'Toole
Paone	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Villa	Wagner	Walker	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 064

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Fares	Froelker
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Miller	Moore
Myers	Naeger	Nordwald	Ostmann	Phillips
Purgason	Quinn	Rector	Reid	Reinhart
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 019

Bonner	Burcham	Dolan	Enz	Gaskill
Haywood	Holand	Hoppe	Linton	Long
Marsh	Monaco	Murphy	Overschmidt	Portwood
Richardson	Troupe	Walton	Williams	

VACANCIES: 001

Representative Crowell requested a verification of the roll call on the motion to appeal the ruling of the Chair.

Representative Merideth offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Bill No. 1594, Page 1, Section 105.935, Line 10, by inserting immediately before said line the following:

“105.270. 1. All officers and employees of this state, or of any department or agency thereof, or of any county, municipality, school district, or other political subdivision, and all other public employees of this state who are or may become members of the national guard or of any reserve component of the armed forces of the United States, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits, to which otherwise entitled, for all periods of military services during which they are engaged in the performance of duty or training in the service of this state at the call of the governor and as ordered by the adjutant general without regard to length of time, and for all periods of military services during which they are engaged in the performance of duty in the service of the United States under competent orders for a period not to exceed a total of fifteen calendar days in any federal fiscal year.

2. Before any payment of salary is made covering the period of the leave the officer or the employee shall file

with the appointing authority or supervising agency an official order from the appropriate military authority as evidence of such duty for which military leave pay is granted which order shall contain the certification of the officer or employee's commanding officer of performance of duty in accordance with the terms of such order.

3. No member of the organized militia shall be discharged from employment by any of the aforementioned agencies because of being a member of the organized militia, nor shall [he] **such member** be hindered or prevented from performing any militia service [he] **the member** may be called upon to perform by proper authority nor otherwise be discriminated against or dissuaded from enlisting or continuing [his service] **to serve** in the militia by threat or injury [to him] in respect to [his] **the member's** employment. Any officer or agent of the aforementioned agencies violating any of the provisions of this section is guilty of a misdemeanor.

4. **Notwithstanding any collective bargaining agreement or other agreement or law to the contrary, the state, or any department, agency, or political subdivision thereof, at the request of any employee who is employed by the state or any department, agency, or political subdivision thereof and who is called to active duty for more than fifteen calendar days as described in subsection 1 of this section, or at the request of such employee's spouse or dependent, shall continue or reactivate the health, medical, hospital, dental, vision, and surgical benefits coverage, whether provided by an insurance company, health insuring corporation, or other health benefit plan or entity, of the person for the duration of the time the employee is engaged in active duty as described in subsection 1 of this section. The employee, or the employee's spouse or dependent, who requests the continuation or reactivation of the coverage and the employing state or state entity are each liable for payment of the same costs for the coverage as if the employee were not on a leave of absence."**

On motion of Representative Merideth, **House Amendment No. 2** was adopted.

Representative Seigfreid offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Bill No. 1594, Page 2, Section 105.935, Line 3, by inserting immediately after all of said line the following:

**"4. The provisions of subsection 2 of this section shall only apply to state employees who are otherwise eligible for compensatory time. Nothing in this section shall be construed as creating a new compensatory benefit for state employees."**

On motion of Representative Seigfreid, **House Amendment No. 3** was adopted.

On motion of Representative Gratz, **HS HB 1594, as amended**, was adopted.

On motion of Representative Gratz, **HS HB 1594, as amended**, was ordered perfected and printed.

Speaker Kreider resumed the Chair.

**PERFECTION OF HOUSE BILL**

**HCS HB 1216**, relating to suicide prevention, was taken up by Representative Johnson (61).

Representative Johnson (61) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1216, Page 2, Section 630.900, Line 18, by deleting “**July 1, 2003**,” and inserting in lieu thereof “**July, 1, 2004**,”; and

Further amend said bill, said page, said section, said line, by deleting the word “**odd**” and inserting in lieu thereof the word “**even**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (61), **House Amendment No. 1** was adopted.

Representative Froelker offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1216, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To amend chapters 21 and 630, RSMo, by adding thereto two new sections relating to suicide."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Chapters 21 and 630, RSMo, are amended by adding thereto two new sections, to be known as sections 21.755 and 630.900, to read as follows:

**"21.755. 1. This section shall be known and may be cited as the "Assisted Suicide Funding Restriction Act".**

**2. Notwithstanding any provision of law to the contrary, no funds appropriated by the general assembly shall be used to procure, furnish, fund, or support, or compel any individual, institution, or government entity to provide, procure, furnish, fund, or support any item, good, benefit, program, or service to cause or assist in causing the suicide, euthanasia, or mercy killing of any individual.**

**3. Nothing in this section shall be construed to create any limitation relating to:**

**(1) The withholding or withdrawing of medical treatment or care;**

**(2) The withholding or withdrawing of nutrition or hydration;**

**(3) Abortion; or**

**(4) The use of any item, good, benefit, or service furnished to alleviate pain or discomfort, even if such use may increase the risk of death, so long as such item, good, benefit, or service is not also furnished to cause or assist in causing death for any reason."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Froelker, **House Amendment No. 2** was adopted by the following vote:

AYES: 122

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Cooper
Crawford	Crowell	Crump	Cunningham	Curls

Daus	Davis	Dempsey	Dolan	Farnen
Froelker	Gambaro	Gaskill	George	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Holt	Hoppe	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Legan	Liese
Luetkemeyer	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Secrest
Seigfreid	Selby	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Walker	Walton	Ward	Whorton	Willoughby
Wilson 42	Wright			

NOES: 014

Bray 84	Campbell	Fares	Franklin	Fraser
Harding	Harlan	Hollingsworth	Johnson 61	Mays 50
Relford	Shelton	Wilson 25	Mr. Speaker	

PRESENT: 002

Brooks Hilgemann

ABSENT WITH LEAVE: 024

Baker	Berkstresser	Burcham	Copenhaver	Enz
Foley	Graham	Green 15	Green 73	Hosmer
Jones	Koller	Lawson	Linton	Lograsso
Long	Lowe	Luetkenhaus	Naeger	Nordwald
Scott	Van Zandt	Wagner	Williams	

VACANCIES: 001

Representative Portwood offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1216, Page 1, Section 630.900, Line 2, by inserting after the words “and senior services” the following: “**elementary and secondary education, higher education**”; and

Further amend said section, Line 9, by inserting the following:

**“(3) Promote the use of student assistance and educational programs to support students with depression and other psychiatric illnesses and substance abuse disorders. In promoting such programs, the director shall collaborate with educators, administrators, students and parents with emphasis on identification of the risk factors associated with suicide”.**

Representative Johnson (90) raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Portwood, **House Amendment No. 3** was adopted.

On motion of Representative Johnson (61), **HCS HB 1216, as amended**, was adopted.

On motion of Representative Johnson (61), **HCS HB 1216, as amended**, was ordered perfected and printed.

### **PERFECTION OF HOUSE JOINT RESOLUTION**

**HCS HJR 47**, relating to the Joint Municipal Utility Commission, was taken up by Representative Willoughby.

Representative Willoughby offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 47, Page 2, Section A, Line 25, by inserting immediately before the word “faith” the following: “**full**”.

On motion of Representative Willoughby, **House Amendment No. 1** was adopted.

On motion of Representative Willoughby, **HCS HJR 47, as amended**, was adopted.

On motion of Representative Willoughby, **HCS HJR 47, as amended**, was ordered perfected and printed.

On motion of Representative Foley, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Representative Britt.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Daniel Stark and Mackenzie Patterson.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1503 - Representative Schwab

House Resolution No. 1504 - Representative Naeger

House Resolution No. 1505  
through

House Resolution No. 1511 - Representative Campbell

House Resolution No. 1512 - Representative Bartelsmeyer

House Resolution No. 1513 - Representative Fares

House Resolution No. 1514 - Representative Wilson (42)  
 House Resolution No. 1515 - Representatives Villa and Gambaro  
 House Resolution No. 1516 - Representative St. Onge  
 House Resolution No. 1517 - Representative Harlan  
 House Resolution No. 1518 - Representative Hilgemann  
 House Resolution No. 1519 - Representative Willoughby  
 House Resolution No. 1520 - Representative Berkstresser  
 House Resolution No. 1521 - Representative Skaggs  
 House Resolution No. 1522 - Representative Farnen  
 House Resolution No. 1523  
     through  
 House Resolution No. 1536 - Representative Cierpiot  
 House Resolution No. 1537  
     through  
 House Resolution No. 1554 - Representative Champion

Speaker Pro Tem Abel resumed the Chair.

#### ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

**HCR 4**, relating to the Armenian Genocide, was taken up by Representative Boucher.

On motion of Representative Boucher, **HCR 4** was read the third time and passed by the following vote:

AYES: 130

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Britt	Burton	Byrd
Campbell	Carnahan	Champion	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Lawson	Legan	Liese	Long	Lowe
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Murphy
Myers	Naeger	O'Connor	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby



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Shelton	Shields	Shoemaker	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 001

Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 031

Baker	Boykins	Bray 84	Brooks	Burcham
Cierpiot	Clayton	Dolan	Franklin	Fraser
Harlan	Hartzler	Hickey	Hohulin	King
Koller	Linton	Lograsso	Luetkemeyer	Monaco
Moore	Nordwald	O'Toole	Ostmann	Richardson
Ridgeway	Shoemyer	Skaggs	Troupe	Van Zandt
Whorton				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCR 25**, relating to Delta Regional Authority, was taken up by Representative Merideth.

Representative Merideth offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Concurrent Resolution No. 25, Page 2, Lines 11 and 12, by striking said lines and inserting in lieu thereof the following:

**“(1) Five regional planning commission members or executive directors, one from each of the regional planning commissions serving the area, appointed by the governor;”**.

On motion of Representative Merideth, **House Amendment No. 1** was adopted.

On motion of Representative Merideth, **HCR 25, as amended**, was read the third time and passed by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway

Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Liese	Long	Lowe	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Rizzo

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Boucher	Boykins	Bray 84	Burcham
Clayton	Crump	Dolan	Green 73	Harlan
Hohulin	Koller	Linton	Lograsso	Luetkemeyer
Monaco	Nordwald	O'Toole	Richardson	Ridgeway
Skaggs	Troupe	Van Zandt		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

## HOUSE RESOLUTIONS

**HR 341**, relating to use of chamber, was taken up by Representative Ladd Baker.

On motion of Representative Ladd Baker, **HR 341** was adopted.

**HR 281**, relating to agriculture industries, was taken up by Representative Hampton.

On motion of Representative Hampton, **HR 281** was adopted.

## PERFECTION OF HOUSE BILLS

**HB 1350**, relating to community improvement districts, was taken up by Representative Liese.

Representative Hollingsworth offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1350, Page 3, Section 67.1451, Line 71, by inserting after all of said line the following:

"67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100, RSMo. Those exempt pursuant to subdivision (5) of section 137.100, RSMo, may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100, RSMo. Those exempt pursuant to subdivisions (2) and (5) of section 137.100, RSMo, may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision in a city with a population of at least four hundred thousand located in more than one county, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

(a) The district's real property, except for public rights-of-way for utilities;

(b) The district's personal property, except in a city not within a county; or

(c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;

(12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;

(13) To loan money as provided in sections 67.1401 to 67.1571;

(14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

(15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;

(16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:

(a) Pedestrian or shopping malls and plazas;

(b) Parks, lawns, trees, and any other landscape;

(c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

(d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

(e) Parking lots, garages, or other facilities;

(f) Lakes, dams, and waterways;

(g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies,

walls, and barriers;

- (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;
  - (i) Paintings, murals, display cases, sculptures, and fountains;
  - (j) Music, news, and child-care facilities; and
  - (k) Any other useful, necessary, or desired improvement;
  - (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;
  - (18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;
  - (19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;
  - (20) Within its boundaries, to lease space for sidewalk café tables and chairs;
  - (21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;
  - (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property;
  - (23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;
  - (24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;
  - (25) To provide or support training programs for employees of businesses within the district;
  - (26) To provide refuse collection and disposal services within the district;
  - (27) To contract for or conduct economic, planning, marketing or other studies; [and]
  - (28) **To repair, restore, or maintain any abandoned cemetery on public or private land within the district;**
- and**
- (29) To carry out any other powers set forth in sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

- (1) Within its blighted area, to contract with any private property owner to demolish and remove, renovate, reconstruct, or rehabilitate any building or structure owned by such private property owner; and
- (2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hollingsworth, **House Amendment No. 1** was adopted.

Representative Cunningham offered **House Amendment No. 2**.

AMEND House Bill No. 1350, Page 3, Section B, Line 6, by inserting after all of said line the following:

**"67.2115. Sections 67.2115 to 67.2124 shall be known as the "Missouri Equalization of Local Governmental Services for Homeowners Act".**

**67.2118. For the purposes of sections 67.2115 to 67.2124, the following terms shall mean:**

**(1) "Common-interest community", real property which a person, by virtue of such person's ownership of a unit, is obligated to pay for real property taxes, insurance premiums, maintenance, or improvement of other real property described in a declaration;**

**(2) "Condominium", any real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interest in the common elements are vested in the unit owners;**

**(3) "Cooperative", a common-interest community in which the real property is owned by an association, each of whose members are entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;**

**(4) "Planned community", a common-interest community that is not a condominium or a cooperative;**

**(5) "Qualified common-interest community", a residential common-interest community, the residents of which do not receive any tax abatement or tax exemption related to its construction, comprised of a condominium association, cooperative corporation, or homeowners association of a planned community, in which the cost of providing essential services is paid for by a nonprofit organization consisting exclusively of lot owners or unit owners within the community, regardless of whether the developer has transferred control of such organization to the owners. No apartment building owned by an individual or entity that receives rental payments from tenants who occupy the premises, nor any campground facility, nor any common-interest community in which fifty percent or more of the lots or units are held for lease, shall be considered a qualified common-interest community.**

**67.2121. 1. Except as otherwise provided in subsection 2 of this section, the governing body of every political subdivision shall reimburse a qualified common-interest community for the cost of collection of trash, garbage, leaves, and recyclable materials or provide the service of collecting trash, garbage, leaves, and recyclable materials within a qualified common-interest community to the same extent as the political subdivision provides these services to other owners of individual residential properties within such political subdivisions.**

**2. In the event the governing body of a political subdivision elects to reimburse the qualified common-interest community for any services set forth in subsection 1 of this section, such reimbursement shall be made at the end of the calendar year and shall be limited to the annual expenditures for the preceding calendar year actually incurred by the qualified common-interest community. Reimbursement shall be made on the basis of the following budget years of the political subdivision, beginning January 1, 2003:**

**(1) In the first local budget year, twenty percent of the cost of services;**

**(2) In the second local budget year, forty percent of the cost of services;**

**(3) In the third local budget year, sixty percent of the cost of services;**

**(4) In the fourth local budget year, eighty percent of the cost of services; and**

**(5) In the fifth local budget year and thereafter, one hundred percent of the cost of services.**

**The political subdivision may annually elect to provide any or all of the services set forth in subsection 1 of this section in lieu of reimbursement.**

**67.2124. The governing body of the political subdivision shall enter into a written agreement with every qualifying common-interest community within its jurisdiction to implement the political subdivision's responsibilities pursuant to sections 67.2115 to 67.2124. For each service, the cost of which is reimbursed, the governing body of the political subdivision shall disclose the cost basis for the amount of the reimbursement."; and**

Further amend said bill, Page 3, Section B, Line 5, by inserting thereafter the following:

"Section B. Section 67.2115, 67.2118, 67.2121, and 67.2124 of this act shall become effective January 1, 2003."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Cunningham moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Quinn offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Bill No. 1350, Page 3, Section 67.1451, Line 71, by inserting immediately thereafter the following:

"349.045. The corporation shall have a board of directors in which all the powers of the corporation shall be vested and which shall consist of any number of directors, not less than five, all of whom shall be duly qualified electors of and taxpayers in the county or municipality; **except that, for any industrial development corporation formed by any municipality located wholly within any county of the third or fourth classification, directors may be qualified taxpayers in and registered voters of such county.** The directors shall serve as such without compensation except that they shall be reimbursed for their actual expenses incurred in and about the performance of their duties hereunder. The directors shall be resident taxpayers for [five years] **at least one year** immediately prior to their appointment. No director shall be an officer or employee of the county or municipality. All directors shall be appointed by the chief executive officer of the county or municipality with the advice and consent of a majority of the governing body of the county or municipality, and in all counties, other than a city not within a county and first class counties under a charter form of government, the appointments shall be made by the county commission and they shall be so appointed that they shall hold office for staggered terms. At the time of the appointment of the first board of directors the governing body of the municipality or county shall divide the directors into three groups containing as nearly equal whole numbers as may be possible. The first term of the directors included in the first group shall be two years, the first term of the directors included in the second group shall be four years, the first term of the directors in the third group shall be six years; provided, that if at the expiration of any term of office of any director a successor thereto shall not have been appointed, then the director whose term of office shall have expired shall continue to hold office until [his] **a** successor shall be appointed by the chief executive officer of the county or municipality with the advice and consent of a majority of the governing body of the county or municipality. The successors shall be resident taxpayers for [five years] **at least one year** immediately prior to their appointment."; and

Further amend said bill by amending title, enacting clause, and intersectional references accordingly.

On motion of Representative Quinn, **House Amendment No. 3** was adopted.

On motion of Representative Liese, **HB 1350, as amended**, was ordered perfected and printed.

**HCS HB 1656**, relating to sexual offenses, was taken up by Representative Wright.

Representative Wright offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1656, Pages 1 and 2, Section 556.030-556.060, Lines 7 and 11 on Page 1, and Line 7 on Page 2, by inserting the following after the words “life imprisonment”: **without possibility of parole.”**.

On motion of Representative Wright, **House Amendment No. 1** was adopted.

Representative Reid offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1656 by inserting in the appropriate location the following:

“547.170. In all cases where an appeal or writ of error is prosecuted from a judgment in a criminal cause, except where the defendant is under sentence of death or imprisonment in the penitentiary for life, or a sentence of imprisonment for a violation of sections 195.222, RSMo, 565.021, RSMo, 565.050, RSMo, [or] subsections 1 and 2 of section 566.030, **566.032, 566.040, 566.060, 566.062, 566.070, or 566.100**, RSMo, any court or officer authorized to order a stay of proceedings under the preceding provisions may allow a writ of habeas corpus, to bring up the defendant, and may thereupon let him to bail upon a recognizance, with sufficient sureties, to be approved by such court or judge.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Reid, **House Amendment No. 2** was adopted.

Representative Burton offered **House Amendment No. 3**.

Representative Britt resumed the Chair.

**House Amendment No. 3** was withdrawn.

Representative Burton offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1656 by inserting in the appropriate location the following:

“650.057. 1. Except as provided in subsection 3 of this section, no local law enforcement agency may establish or operate a system before January 15, 1992, and unless:

- (1) The equipment of the local system is compatible with that of the state system; and
- (2) The local system is equipped to receive and answer inquiries from the Missouri DNA profiling system or FBI databank and transmit data to the Missouri DNA profiling system and FBI databank; and
- (3) The procedure and rules for the collection, analysis, storage, expungement and use of DNA profiling data do not conflict with procedures and rules applicable to the Missouri system and the FBI DNA databank.

2. The Missouri department of public safety shall adopt rules to implement this section.

3. Nothing in subdivisions (1) and (2) of this section shall prohibit a local law enforcement agency from performing DNA profiling analysis in individual cases to assist law enforcement officials and prosecutors in the preparation and use of DNA evidence for presentation in court. Implementation of sections 650.050 to 650.057 shall be subject to future appropriations except for section 650.050.

**4. Nothing in this section shall prohibit a law enforcement agency from obtaining a saliva sample through the use of a sterile cotton swab for the purpose of obtaining a DNA sample for purposes of DNA analysis as part of the agency's normal booking process for individuals arrested for any felony violation, if taken in conjunction with the other procedures followed by the law enforcement agency in processing an individual arrested for a felony violation. This subsection does not authorize the drawing of a blood sample for this purpose unless a search warrant is first obtained.”; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Burton, **House Amendment No. 3** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 4**.

Speaker Pro Tem Abel resumed the Chair.

Representative Wright raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Behnen offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1656 by inserting in the appropriate location the following:

**“192.978. The department of health and senior services shall, subject to appropriations, provide upon request to any hospital, as defined in section 197.020, RSMo, rape kits and similar collection materials to aid in the identification of rape suspects.”; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Behnen, **House Amendment No. 4** was adopted.

On motion of Representative Wright, **HCS HB 1656, as amended**, was adopted.

On motion of Representative Wright, **HCS HB 1656, as amended**, was ordered perfected and printed.

**HCS HB 1650**, relating to the water pollution control bonds, was placed on the Informal Calendar.

**HB 1627**, relating to building regulations, was taken up by Representative Kreider.

Representative Ballard offered **House Amendment No. 1**.



*House Amendment No. 1*

AMEND House Bill No. 1627, Page 3, Section 64.180, Line 31, by placing an opening bracket after the “adoption.” and a closing bracket at the end of Line 33.

Representative Ballard moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelly 144	King
Legan	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Schwab	Scott	Secrest	Shields	Shoemaker
Surface	Townley	Vogel	Wright	

NOES: 088

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	Murphy	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 005

Boykins	Burcham	Harlan	Linton	Ross
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VACANCIES: 001

Representative Campbell offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Bill No. 1627, Page 5, Section 64.205, Line 2, by inserting immediately thereafter the following:

“701.359. **1.** A political subdivision which has, on August 28, 1994, adopted the ANSI elevator codes specified in 701.353 and maintains, and continues to maintain at all times, after enactment of sections 701.350 to 701.380, a duly constituted department, bureau, or division for the purposes of enforcing these codes, is exempt from the provisions of 701.353, except insofar as the statute requires state certification of inspection or inspections by certified inspectors. Adoption of any code by a political subdivision or the establishment of any code pursuant to sections 701.350 to 701.380 does not preempt common law or statutory liability.

**2. The board may grant variances from the rules and regulations promulgated pursuant to sections 701.350 to 701.380 for all equipment regulated by such sections that is located in any political subdivision that has already granted a variance for such equipment.**

701.363. Each privately owned or operated installation and each installation owned or operated by the state of Missouri or any political subdivision of the state shall have a state certificate of inspection and meet the safety code promulgated pursuant to sections 701.350 to 701.380; **provided, however, that any device that is maintained and operated by any establishment categorized and described by Standard Industrial Classification (SIC) 2048 in Industry Group 204 of Major Group 20 of Division D or SIC 5153 in Industry Group 515 or SIC 5191 in Industry Group 519 of Major Group 51 of Division F of the Occupational Safety & Health Administration’s SIC Manual, if the device is used in the manufacture or distribution of the establishment’s products, shall be exempt from the provisions of sections 701.350 to 701.380.**

**701.370. The board shall promulgate rules and regulations prohibiting any inspecting company, or any agent or employee of the inspecting company, from providing any maintenance or repair of any elevator the inspecting company inspects.**

701.377. As otherwise provided by sections 701.350 to 701.380, the board shall set fees for inspection, permits, licenses, certificates, and plan review required by the provisions of sections 701.350 to 701.380. Fees shall be determined by the board to provide sufficient funds for the operation of the board, except that no fee for the certificate shall exceed twenty-five dollars. The board may alter the fee schedule once each year. Any funds collected pursuant to sections 701.350 to 701.380 shall be deposited in the "Elevator Safety Fund" which is hereby created. Moneys shall be appropriated from the fund for the expense of the board. Any unexpended funds in the elevator safety fund at the close of the biennium shall revert to the general revenue as required by section 33.080, RSMo. A municipality or other political subdivision enforcing the provisions of sections 701.350 to 701.380 under the provisions of subsection 2 of section 701.365 and which performs the plan review, permitting, inspections, and certifications as required, the fee for that inspection shall be paid directly to the municipality or political subdivision and shall not be preempted by sections 701.350 to 701.380, except that any fee established by the board for the issuance of appropriate state certificates shall be paid to the board.”; and

Further amend said bill by amending title, enacting clause and intersectional references accordingly.

Representative Green (73) raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Campbell moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Portwood offered **House Amendment No. 3**.

Representative Kreider raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Monaco raised an additional point of order that **House Amendment No. 3** is not germane to the bill.

The Chair ruled the points of order well taken.

On motion of Representative Kreider, **HB 1627** was ordered perfected and printed.

Representative Monaco assumed the Chair.

**HCS HB 1886**, relating to municipal economic authorities, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HCS HB 1886** was adopted.

On motion of Representative Rizzo, **HCS HB 1886** was ordered perfected and printed.

### **PERFECTION OF HOUSE BILL - INFORMAL**

**HCS HB 1650**, relating to water pollution control bonds, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS HB 1650**.

Representative Relford offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1650, Page 10, Section 393.705, Line 3 of said page, by inserting immediately after all of said line the following:

“610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public within seventy-two hours after execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when

personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body must be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

- (4) The state militia or national guard or any part thereof;
- (5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;
- (6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;
- (7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;
- (8) Welfare cases of identifiable individuals;
- (9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;
- (10) Software codes for electronic data processing and documentation thereof;
- (11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;
- (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;
- (13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such;
- (14) Records which are protected from disclosure by law;
- (15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;
- (16) Records relating to municipal hot lines established for the reporting of abuse and wrongdoing;
- (17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; [and]
- (18) In preparation for and implementation of electric restructuring, a municipal electric utility may close that portion of its financial records and business plans which contains information regarding the name of the suppliers of services to said utility and the cost of such services, and the records and business plans concerning the municipal electric utility's future marketing and service expansion areas. However, this exception shall not be construed to limit access to other records of a municipal electric utility, including but not limited to the names and addresses of its business and residential customers, its financial reports, including but not limited to its budget, annual reports and other financial statements prepared in the course of business, and other records maintained in the course of doing business as a municipal electric utility. This exception shall become null and void if the state of Missouri fails to implement by December 31, 2001, electric restructuring through the adoption of statutes permitting the same in this state; **and**
- (19) **Portions of documents detailing plans or proposals for protection from and response to domestic terrorism, as defined in 18 U.S.C. section 2331, including the protection of critical physical structures and evacuation plans from those structures, protection and response plans relating to the potential contamination of reservoirs, water supplies, or sewers, and protection and response plans relating to the damaging of electric and gas utilities, except that information related to the costs budgeted and expended to protect such structures, water supplies, sewers, or utilities shall not be a closed record under this exception.**"; and

Further amend said bill in the title, enacting clause, and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 1** was adopted.

Representative Shoemyer (9) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1650 by placing the following in the appropriate location:

"640.620. In any case, the grant shall not be in excess of one thousand four hundred dollars per connection, or, in the case of a source water protection project, for more than twenty percent of the cost per acre for conservation reserve, and[, except as otherwise provided in this section,] no district or system may receive more than one grant for [any purpose] **a construction project and one grant for a source water protection project** in any two-year period. [Grantees who received or who are receiving funds under the 1993-1994 special allocation for flood-impacted communities are not subject to the prohibition against receiving more than one grant during any two-year period for a period ending two years after the final grant allocation for flood-impacted communities is received by that grantee.]

Section B. Because of the need to provide adequate sewer systems within local political subdivisions, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shoemyer (9), **House Amendment No. 2** was adopted.

Representative Lawson offered **House Amendment No. 3.**

**House Amendment No. 3** was withdrawn.

Representative Dolan offered **House Amendment No. 3.**

Representative Foley raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Kelly (144) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1650 by inserting in the appropriate location the following:

"644.016. When used in sections 644.006 to 644.141 and in standards, rules and regulations promulgated pursuant to sections 644.006 to 644.141, the following words and phrases mean:

(1) **"Aquaculture", a facility which uses water for the controlled propagation, growth and harvest of aquatic organisms;**

[(1)] (2) "Commission", the clean water commission of the state of Missouri created in section 644.021;

[(2)] (3) "Conference, conciliation and persuasion", a process of verbal or written communications consisting of meetings, reports, correspondence or telephone conferences between authorized representatives of the department

and the alleged violator. The process shall, at a minimum, consist of one offer to meet with the alleged violator tendered by the department. During any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate the alleged violation and shall attempt to agree upon a plan to achieve compliance;

[(3)] (4) "Department", the department of natural resources;

[(4)] (5) "Director", the director of the department of natural resources;

[(5)] (6) "Discharge", the causing or permitting of one or more water contaminants to enter the waters of the state;

[(6)] (7) "Effluent control regulations", limitations on the discharge of water contaminants;

[(7)] (8) "General permit", a permit written with a standard group of conditions and with applicability intended for a designated category of water contaminant sources that have the same or similar operations, discharges and geographical locations, and that require the same or similar monitoring, and that would be more appropriately controlled pursuant to a general permit rather than pursuant to a site-specific permit;

[(8)] (9) "Human sewage", human excreta and wastewater, including bath and toilet waste, residential laundry waste, residential kitchen waste, and other similar waste from household or establishment appurtenances;

[(9)] (10) "Income" includes retirement benefits, consultant fees, and stock dividends;

[(10)] (11) "Minor violation", a violation which possesses a small potential to harm the environment or human health or cause pollution, was not knowingly committed, and is not defined by the United States Environmental Protection Agency as other than minor;

[(11)] (12) "Permit by rule", a permit granted by rule, not by a paper certificate, and conditioned by the permit holder's compliance with commission rules;

[(12)] (13) "Permit holders or applicants for a permit" shall not include officials or employees who work full time for any department or agency of the state of Missouri;

[(13)] (14) "Person", any individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision, or any agency, board, department, or bureau of the state or federal government, or any other legal entity whatever which is recognized by law as the subject of rights and duties;

[(14)] (15) "Point source", any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged;

[(15)] (16) "Pollution", such contamination or other alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the state as will or is reasonably certain to create a nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, industrial, agricultural, recreational, or other legitimate beneficial uses, or to wild animals, birds, fish or other aquatic life;

[(16)] (17) "Pretreatment regulations", limitations on the introduction of pollutants or water contaminants into publicly owned treatment works or facilities which the commission determines are not susceptible to treatment by such works or facilities or which would interfere with their operation, except that wastes as determined compatible for treatment pursuant to any federal water pollution control act or guidelines shall be limited or treated pursuant to this chapter only as required by such act or guidelines;

[(17)] (18) "Residential housing development", any land which is divided or proposed to be divided into three or more lots, whether contiguous or not, for the purpose of sale or lease as part of a common promotional plan for residential housing;

[(18)] (19) "Sewer system", pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances and facilities used for collecting or conducting wastes to an ultimate point for treatment or handling;

[(19)] (20) "Significant portion of his or her income" shall mean ten percent of gross personal income for a calendar year, except that it shall mean fifty percent of gross personal income for a calendar year if the recipient is over sixty years of age, and is receiving such portion pursuant to retirement, pension, or similar arrangement;

[(20)] (21) "Site-specific permit", a permit written for discharges emitted from a single water contaminant source and containing specific conditions, monitoring requirements and effluent limits to control such discharges;

[(21)] (22) "Treatment facilities", any method, process, or equipment which removes, reduces, or renders less obnoxious water contaminants released from any source;

[(22)] (23) "Water contaminant", any particulate matter or solid matter or liquid or any gas or vapor or any

combination thereof, or any temperature change which is in or enters any waters of the state either directly or indirectly by surface runoff, by sewer, by subsurface seepage or otherwise, which causes or would cause pollution upon entering waters of the state, or which violates or exceeds any of the standards, regulations or limitations set forth in sections 644.006 to 644.141 or any federal water pollution control act, or is included in the definition of pollutant in such federal act;

[(23)] **(24)** "Water contaminant source", the point or points of discharge from a single tract of property on which is located any installation, operation or condition which includes any point source defined in sections 644.006 to 644.141 and nonpoint source pursuant to any federal water pollution control act, which causes or permits a water contaminant therefrom to enter waters of the state either directly or indirectly;

[(24)] **(25)** "Water quality standards", specified concentrations and durations of water contaminants which reflect the relationship of the intensity and composition of water contaminants to potential undesirable effects;

[(25)] **(26)** "Waters of the state", all rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two or more persons jointly or as tenants in common and includes waters of the United States lying within the state.

644.051. 1. It is unlawful for any person:

(1) To cause pollution of any waters of the state or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the state;

(2) To discharge any water contaminants into any waters of the state which reduce the quality of such waters below the water quality standards established by the commission;

(3) To violate any pretreatment and toxic material control regulations, or to discharge any water contaminants into any waters of the state which exceed effluent regulations or permit provisions as established by the commission or required by any federal water pollution control act;

(4) To discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into the waters of the state.

2. It shall be unlawful for any person to build, erect, alter, replace, operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds a permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works.

3. Every proposed water contaminant or point source which, when constructed or installed or established, will be subject to any federal water pollution control act or sections 644.006 to 644.141 or regulations promulgated pursuant to the provisions of such act shall make application to the director for a permit at least thirty days prior to the initiation of construction or installation or establishment. Every water contaminant or point source in existence when regulations or sections 644.006 to 644.141 become effective shall make application to the director for a permit within sixty days after the regulations or sections 644.006 to 644.141 become effective, whichever shall be earlier. The director shall promptly investigate each application, which investigation shall include such hearings and notice, and consideration of such comments and recommendations as required by sections 644.006 to 644.141 and any federal water pollution control act. If the director determines that the source meets or will meet the requirements of sections 644.006 to 644.141 and the regulations promulgated pursuant thereto, the director shall issue a permit with such conditions as he or she deems necessary to ensure that the source will meet the requirements of sections 644.006 to 644.141 and any federal water pollution control act as it applies to sources in this state. If the director determines that the source does not meet or will not meet the requirements of either act and the regulations pursuant thereto, the director shall deny the permit pursuant to the applicable act and issue any notices required by sections 644.006 to 644.141 and any federal water pollution control act.

4. Before issuing a permit to build or enlarge a water contaminant or point source or reissuing any permit, the director shall issue such notices, conduct such hearings, and consider such factors, comments and recommendations as required by sections 644.006 to 644.141 or any federal water pollution control act. The director shall determine if any state or any provisions of any federal water pollution control act the state is required to enforce, any state or federal effluent limitations or regulations, water quality-related effluent limitations, national standards of performance, toxic and pretreatment standards, or water quality standards which apply to the source, or any such standards in the vicinity of the source, are being exceeded, and shall determine the impact on such water quality standards from the source. The director, in order to effectuate the purposes of sections 644.006 to 644.141, shall deny a permit if the source will violate

any such acts, regulations, limitations or standards or will appreciably affect the water quality standards or the water quality standards are being substantially exceeded, unless the permit is issued with such conditions as to make the source comply with such requirements within an acceptable time schedule. **Prior to the development or renewal of a general permit or permit by rule, for aquaculture, the director shall convene a meeting or meetings of permit holders, applicants and public to evaluate the pollution impacts of permits and to discuss any terms and conditions that may be necessary to protect waters of the state. Following the discussions, the director shall finalize a draft permit that considers the comments of the meeting participants and post the draft permit on notice for public comment. The director shall concurrently post with the draft permit an explanation of the draft permit and shall identify types of facilities which are subject to the permit conditions. Concerned, affected public or applicants for new general permits, renewed general permits or permits by rule may request a hearing with respect to the new requirements in accordance with this section. If a request for a hearing is received, the commission shall hold a hearing to receive comments on issues of significant technical merit and concerns related to the responsibilities of the Missouri clean water law. The commission shall conduct such hearings in accordance with this section. After consideration of such comments, a final action on the permit shall be rendered. The time between the date of the hearing request and the hearing itself shall not be counted as time elapsed pursuant to subdivision (1) of subsection 13 of this section.**

5. The director shall grant or deny the permit within sixty days after all requirements of the Federal Water Pollution Control Act concerning issuance of permits have been satisfied unless the application does not require any permit pursuant to any federal water pollution control act. The director or the commission may require the applicant to provide and maintain such facilities or to conduct such tests and monitor effluents as necessary to determine the nature, extent, quantity or degree of water contaminant discharged or released from the source, establish and maintain records and make reports regarding such determination.

6. The director shall promptly notify the applicant in writing of his or her action and if the permit is denied state the reasons therefor. The applicant may appeal to the commission from the denial of a permit or from any condition in any permit by filing notice of appeal with the commission within thirty days of the notice of denial or issuance of the permit. The commission shall set the matter for hearing not less than thirty days after the notice of appeal is filed. In no event shall a permit constitute permission to violate the law or any standard, rule or regulation promulgated pursuant thereto.

7. In any hearing held pursuant to this section the burden of proof is on the applicant for a permit. Any decision of the commission made pursuant to a hearing held pursuant to this section is subject to judicial review as provided in section 644.071.

8. In any event, no permit issued pursuant to this section shall be issued if properly objected to by the federal government or any agency authorized to object pursuant to any federal water pollution control act unless the application does not require any permit pursuant to any federal water pollution control act.

**9. Unless a site-specific permit is requested by the applicant, aquaculture facilities shall be governed by a general permit issued pursuant to this section with a fee not to exceed two hundred fifty dollars pursuant to subdivision (5) of subsection 6 of section 644.052. However, any aquaculture facility which materially violates the conditions and requirements of such permit may be required to obtain a site-specific permit.**

[9.] 10. No manufacturing or processing plant or operating location shall be required to pay more than one operating fee. Operating permits shall be issued for a period not to exceed five years after date of issuance, except that general permits shall be issued for a five-year period, and also except that neither a construction nor an annual permit shall be required for a single residence's waste treatment facilities. Applications for renewal of an operating permit shall be filed at least one hundred eighty days prior to the expiration of the existing permit.

[10.] 11. Every permit issued to municipal or any publicly owned treatment works or facility shall require the permittee to provide the clean water commission with adequate notice of any substantial new introductions of water contaminants or pollutants into such works or facility from any source for which such notice is required by sections 644.006 to 644.141 or any federal water pollution control act. Such permit shall also require the permittee to notify the clean water commission of any substantial change in volume or character of water contaminants or pollutants being introduced into its treatment works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility and the anticipated impact of such introduction on the quality or quantity of effluent to be released from such works or facility into waters of the state.



[11.] **12.** The director or the commission may require the filing or posting of a bond as a condition for the issuance of permits for construction of temporary or future water treatment facilities in an amount determined by the commission to be sufficient to ensure compliance with all provisions of sections 644.006 to 644.141, and any rules or regulations of the commission and any condition as to such construction in the permit. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission. The bond shall remain in effect until the terms and conditions of the permit are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

[12.] **13.** (1) The department shall issue or deny applications for construction and site-specific operating permits received after January 1, 2001, within one hundred eighty days of the department's receipt of an application. For general construction and operating permit applications received after January 1, 2001, that do not require a public participation process, the department shall issue or deny the requested permits within sixty days of the department's receipt of an application.

(2) If the department fails to issue or deny with good cause a construction or operating permit application within the time frames established in subdivision (1) of this subsection, the department shall refund the full amount of the initial application fee within forty-five days of failure to meet the established time frame. If the department fails to refund the application fee within forty-five days, the refund amount shall accrue interest at a rate established pursuant to section 32.065, RSMo.

(3) Permit fee disputes may be appealed to the commission within thirty days of the date established in subdivision (2) of this subsection. If the applicant prevails in a permit fee dispute appealed to the commission, the commission may order the director to refund the applicant's permit fee plus interest and reasonable attorney's fees as provided in sections 536.085 and 536.087, RSMo. A refund of the initial application or annual fee does not waive the applicant's responsibility to pay any annual fees due each year following issuance of a permit.

(4) No later than December 31, 2001, the commission shall promulgate regulations defining shorter review time periods than the time frames established in subdivision (1) of this subsection, when appropriate, for different classes of construction and operating permits. In no case shall commission regulations adopt permit review times that exceed the time frames established in subdivision (1) of this subsection. The department's failure to comply with the commission's permit review time periods shall result in a refund of said permit fees as set forth in subdivision (2) of this subsection. On a semiannual basis, the department shall submit to the commission a report which describes the different classes of permits and reports on the number of days it took the department to issue each permit from the date of receipt of the application and show averages for each different class of permits.

(5) During the department's technical review of the application, the department may request the applicant submit supplemental or additional information necessary for adequate permit review. The department's technical review letter shall contain a sufficient description of the type of additional information needed to comply with the application requirements.

(6) Nothing in this subsection shall be interpreted to mean that inaction on a permit application shall be grounds to violate any provisions of sections 644.006 to 644.141 or any rules promulgated pursuant to sections 644.006 to 644.141.

[13.] **14.** The department shall respond to all requests for individual certification under Section 401 of the Federal Clean Water Act within the lesser of sixty days or the allowed response period established pursuant to applicable federal regulations without request for an extension period unless such extension is determined by the commission to be necessary to evaluate significant impacts on water quality standards and the commission establishes a timetable for completion of such evaluation in a period of no more than one hundred eighty days.

[14.] **15.** All permit fees generated pursuant to this chapter shall not be used for the development or expansion of total maximum daily loads studies on either the Missouri or Mississippi rivers.

644.052. 1. Persons with operating permits or permits by rule issued pursuant to this chapter shall pay fees pursuant to subsections 2 to 8 and 12 to 13 of this section. Persons with a sewer service connection to public sewer systems owned or operated by a city, public sewer district, public water district or other publicly owned treatment works shall pay a permit fee pursuant to subsections 10 and 11 of this section.

2. A privately owned treatment works or an industry which treats only human sewage shall annually pay a fee based upon the design flow of the facility as follows:

- (1) One hundred dollars if the design flow is less than five thousand gallons per day;
- (2) One hundred fifty dollars if the design flow is equal to or greater than five thousand gallons per day but less than six thousand gallons per day;
- (3) One hundred seventy-five dollars if the design flow is equal to or greater than six thousand gallons per day

but less than seven thousand gallons per day;

(4) Two hundred dollars if the design flow is equal to or greater than seven thousand gallons per day but less than eight thousand gallons per day;

(5) Two hundred twenty-five dollars if the design flow is equal to or greater than eight thousand gallons per day but less than nine thousand gallons per day;

(6) Two hundred fifty dollars if the design flow is equal to or greater than nine thousand gallons per day but less than ten thousand gallons per day;

(7) Three hundred seventy-five dollars if the design flow is equal to or greater than ten thousand gallons per day but less than eleven thousand gallons per day;

(8) Four hundred dollars if the design flow is equal to or greater than eleven thousand gallons per day but less than twelve thousand gallons per day;

(9) Four hundred fifty dollars if the design flow is equal to or greater than twelve thousand gallons per day but less than thirteen thousand gallons per day;

(10) Five hundred dollars if the design flow is equal to or greater than thirteen thousand gallons per day but less than fourteen thousand gallons per day;

(11) Five hundred fifty dollars if the design flow is equal to or greater than fourteen thousand gallons per day but less than fifteen thousand gallons per day;

(12) Six hundred dollars if the design flow is equal to or greater than fifteen thousand gallons per day but less than sixteen thousand gallons per day;

(13) Six hundred fifty dollars if the design flow is equal to or greater than sixteen thousand gallons per day but less than seventeen thousand gallons per day;

(14) Eight hundred dollars if the design flow is equal to or greater than seventeen thousand gallons per day but less than twenty thousand gallons per day;

(15) One thousand dollars if the design flow is equal to or greater than twenty thousand gallons per day but less than twenty-three thousand gallons per day;

(16) Two thousand dollars if the design flow is equal to or greater than twenty-three thousand gallons per day but less than twenty-five thousand gallons per day;

(17) Two thousand five hundred dollars if the design flow is equal to or greater than twenty-five thousand gallons per day but less than thirty thousand gallons per day;

(18) Three thousand dollars if the design flow is equal to or greater than thirty thousand gallons per day but less than one million gallons per day; or

(19) Three thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.

3. Persons who produce industrial process wastewater which requires treatment and who apply for or possess a site-specific permit shall annually pay:

(1) Five thousand dollars if the industry is a class IA animal feeding operation as defined by the commission; or

(2) For facilities issued operating permits based upon categorical standards pursuant to the Federal Clean Water Act and regulations implementing such act:

(a) Three thousand five hundred dollars if the design flow is less than one million gallons per day; or

(b) Five thousand dollars if the design flow is equal to or greater than one million gallons per day.

4. Persons who apply for or possess a site-specific permit solely for industrial storm water shall pay an annual fee of:

(1) One thousand three hundred fifty dollars if the design flow is less than one million gallons per day; or

(2) Two thousand three hundred fifty dollars if the design flow is equal to or greater than one million gallons per day.

5. Persons who produce industrial process wastewater who are not included in subsection 2 or 3 of this section shall annually pay:

(1) One thousand five hundred dollars if the design flow is less than one million gallons per day; or

(2) Two thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.

6. Persons who apply for or possess a general permit shall pay:

(1) Three hundred dollars for the discharge of storm water from a land disturbance site;

(2) Fifty dollars annually for the operation of a chemical fertilizer or pesticide facility;

(3) One hundred fifty dollars for the operation of an animal feeding operation or a concentrated animal

feeding operation;

(4) One hundred fifty dollars annually for new permits for the discharge of process water or storm water potentially contaminated by activities not included in subdivisions (1) to (3) of this subsection. Persons paying fees pursuant to this subdivision with existing general permits on August 27, 2000, and persons paying fees pursuant to this subdivision who receive renewed general permits on the same facility after August 27, 2000, shall pay sixty dollars annually;

**(5) Up to two hundred fifty dollars annually for the operation of an aquaculture facility.**

7. Requests for modifications to state operating permits on entities that charge a service connection fee pursuant to subsection 10 of this section shall be accompanied by a two hundred-dollar fee. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.

8. Requests for state operating permit modifications other than those described in subsection 7 of this section shall be accompanied by a fee equal to twenty-five percent of the annual operating fee assessed for the facility pursuant to this section. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.

9. Persons requesting water quality certifications in accordance with Section 401 of the Federal Clean Water Act shall pay a fee of seventy-five dollars and shall submit the standard application form for a Section 404 permit as administered by the U.S. Army Corps of Engineers or similar information required for other federal licenses and permits, except that the fee is waived for water quality certifications issued and accepted for activities authorized pursuant to a general permit or nationwide permit by the U.S. Army Corps of Engineers.

10. Persons with a direct or indirect sewer service connection to a public sewer system owned or operated by a city, public sewer district, public water district, or other publicly owned treatment works shall pay an annual fee per water service connection as provided in this subsection. Customers served by multiple water service connections shall pay such fee for each water service connection, except that no single facility served by multiple connections shall pay more than a total of seven hundred dollars per year. The fees provided for in this subsection shall be collected by the agency billing such customer for sewer service and remitted to the department. The fees may be collected in monthly, quarterly or annual increments, and shall be remitted to the department no less frequently than annually. The fees collected shall not exceed the amounts specified in this subsection and, except as provided in subsection 11 of this section, shall be collected at the specified amounts unless adjusted by the commission in rules. The annual fees shall not exceed:

(1) For sewer systems that serve more than thirty-five thousand customers, forty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(2) For sewer systems that serve equal to or less than thirty-five thousand but more than twenty thousand customers, fifty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(3) For sewer systems that serve equal to or less than twenty thousand but more than seven thousand customers, sixty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(4) For sewer systems that serve equal to or less than seven thousand but more than one thousand customers, seventy cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(5) For sewer systems that serve equal to or less than one thousand customers, eighty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(6) Three dollars for commercial or industrial customers not served by a public water system as defined in chapter 640, RSMo;

(7) Three dollars per water service connection for all other customers with water service connections of less than or equal to one inch excluding taps for fire suppression and irrigation systems;

(8) Ten dollars per water service connection for all other customers with water service connections of more than one inch but less than or equal to four inches, excluding taps for fire suppression and irrigation systems;

(9) Twenty-five dollars per water service connection for all other customers with water service connections of more than four inches, excluding taps for fire suppression and irrigation systems.

11. Customers served by any district formed pursuant to the provisions of section 30(a) of article VI of the

Missouri Constitution shall pay the fees set forth in subsection 10 of this section according to the following schedule:

(1) From August 28, 2000, through September 30, 2001, customers of any such district shall pay fifty percent of such fees; and

(2) Beginning October 1, 2001, customers of any such districts shall pay one hundred percent of such fees.

12. Persons submitting a notice of intent to operate pursuant to a permit by rule shall pay a filing fee of twenty-five dollars.

13. For any general permit issued to a state agency for highway construction pursuant to subdivision (1) of subsection 6 of this section, a single fee may cover all sites subject to the permit."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (144), **House Amendment No. 3** was adopted.

On motion of Representative Hoppe, **HS HCS HB 1650, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS HB 1650, as amended**, was ordered perfected and printed.

### MOTION

Representative Rizzo, having voted on the prevailing side, moved that the vote by which **HCS HB 1886** was ordered perfected and printed, be reconsidered.

Which motion was adopted by the following vote:

AYES: 138

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bray 84	Britt	Brooks	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crowell	Crump	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith

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St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Ballard	Bowman	Boykins	Burcham
Burton	Crawford	Cunningham	Green 15	Green 73
Hagan-Harrell	Harlan	Hickey	Holand	Hosmer
Jones	Linton	Long	O'Toole	Richardson
Shoemaker	Troupe	Wagner		

VACANCIES: 001

Representative Rizzo, having voted on the prevailing side, moved that the vote by which **HCS HB 1886** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 143

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Murphy O'Connor

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Ballard	Boykins	Burcham	Burton
Crawford	Green 15	Green 73	Holand	Hosmer
Jones	Linton	Long	O'Toole	Richardson
Troupe	Wagner			

VACANCIES: 001

**HCS HB 1886**, relating to municipal economic authorities, was again taken up by Representative Rizzo.

**HCS HB 1886** was laid over.

On motion of Representative Graham, the House recessed until 8:00 p.m.

### EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

### THIRD READING OF SENATE BILLS - CONSENT

**HCS SCS SB 645**, relating to correctional facilities, was taken up by Representative Relford.

On motion of Representative Relford, **HCS SCS SB 645** was adopted.

On motion of Representative Relford, **HCS SCS SB 645** was read the third time and passed by the following vote:

AYES: 142

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Enz	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King

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Koller	Lawson	Legan	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 008

Bartle	Crowell	Dolan	Hendrickson	Jetton
Portwood	Reid	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Burcham	Foley	Hohulin
Linton	Long	Murphy	Purgason	Secrest
Troupe	Wilson 42			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS SCS SB 776**, relating to higher education savings program, was taken up by Representative Harlan.

On motion of Representative Harlan, **HCS SCS SB 776** was adopted.

On motion of Representative Harlan, **HCS SCS SB 776** was read the third time and passed by the following vote:

AYES: 120

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crawford	Crump	Cunningham	Curls	Daus
Davis	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lowe	Luetkenhaus

Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Portwood
Quinn	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Thompson	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 034

Bartelsmeyer	Bearden	Behnen	Black	Boatright
Burton	Byrd	Cierpiot	Cooper	Crowell
Dempsey	Enz	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelly 144	Luetkemeyer	Marble
Mayer	Moore	Myers	Phillips	Purgason
Rector	Ridgeway	Roark	Schwab	Scott
St. Onge	Surface	Townley	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Bartle	Burcham	Linton	Lograsso
Long	Murphy	Troupe		

VACANCIES: 001

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**HCS SCS SB 1113**, relating to coroner's inquest, was taken up by Representative Farnen.

On motion of Representative Farnen, **HCS SCS SB 1113** was adopted.

On motion of Representative Farnen, **HCS SCS SB 1113** was read the third time and passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crump	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann



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Hollingsworth	Holt	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 013

Ballard	Bartle	Byrd	Cierpiot	Crowell
Cunningham	Hohulin	Hoppe	Hosmer	Lograsso
Mayer	Ridgeway	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 008

Burcham	Green 73	Holand	Kelly 27	Linton
Long	Murphy	Troupe		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 1012**, relating to energy efficiency projects, was taken up by Representative Lawson.

On motion of Representative Lawson, **HCS SB 1012** was adopted.

On motion of Representative Lawson, **HCS SB 1012** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood

Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Burcham	Green 73	Harlan	Holand	Linton
Long	Murphy	Troupe	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 795**, relating to boiler and pressure vessels safety fund, was taken up by Representative Treadway.

On motion of Representative Treadway, **HCS SB 795** was adopted.

On motion of Representative Treadway, **HCS SB 795** was read the third time and passed by the following vote:

AYES: 099

Abel	Barry 100	Bearden	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Clayton	Copenhaver	Crawford
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Luetkenhaus
Marsh	Mays 50	McKenna	Merideth	Monaco

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Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Ransdall	Reid	Reinhart	Relford
Reynolds	Rizzo	Robirds	Scheve	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Surface	Thompson	Treadway	Villa
Wagner	Walker	Walton	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 051

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Boatright	Byrd	Champion	Cierpiot
Cooper	Crowell	Froelker	Gaskill	Griesheimer
Hegeman	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Lograsso	Luetkemeyer	Marble	May 149	Mayer
Miller	Moore	Myers	Naeger	Phillips
Portwood	Purgason	Quinn	Rector	Richardson
Ridgeway	Roark	Ross	Schwab	Scott
Secrest	Shoemaker	St. Onge	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Burcham	Crump	Green 73	Harlan
Holand	Linton	Long	Murphy	Troupe
Van Zandt	Ward			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SBs 1086 & 1126**, relating to nuisance abatement, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS SCS SBs 1086 & 1126** was adopted.

On motion of Representative Hoppe, **HCS SCS SBs 1086 & 1126** was read the third time and passed by the following vote:

AYES: 094

Abel	Baker	Barnitz	Barry 100	Bearden
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bray 84	Britt	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Copenhaver	Crump
Davis	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lograsso	Lowe	Luetkenhaus	Marble	Marsh

Mays 50	McKenna	Monaco	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Ransdall	Reid	Reinhart	Relford	Robirds
Ross	Scheve	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Treadway	Villa	Wagner	Walton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 060

Ballard	Barnett	Bartelsmeyer	Bartle	Behnen
Black	Boatright	Bowman	Boykins	Brooks
Byrd	Cooper	Crawford	Crowell	Cunningham
Curls	Daus	Dempsey	Enz	Gaskill
Hanaway	Hegeman	Henderson	Hendrickson	Hohulin
Jetton	Johnson 61	Kelley 47	Kelly 144	King
Legan	Luetkemeyer	May 149	Mayer	Merideth
Miller	Moore	Naeger	Phillips	Portwood
Purgason	Quinn	Rector	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Schwab	Scott
Secrest	Shoemaker	St. Onge	Thompson	Townley
Vogel	Walker	Ward	Whorton	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Burcham	Green 73	Holand	Linton	Long
Murphy	Troupe	Van Zandt		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 786**, relating to design-build contracts, was taken up by Representative Campbell.

On motion of Representative Campbell, **HCS SB 786** was adopted.

On motion of Representative Campbell, **HCS SB 786** was read the third time and passed by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt

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Hoppe	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Townley	Villa	Vogel	Wagner
Walton	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Cooper	Johnson 61	Thompson
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PRESENT: 001

Walker

ABSENT WITH LEAVE: 020

Baker	Brooks	Burcham	Green 73	Harlan
Holand	Hosmer	Jones	Linton	Lograsso
Long	Monaco	Murphy	Reynolds	Scheve
Shields	Treadway	Troupe	Van Zandt	Ward

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 1244**, relating to hearing screening for newborns, was taken up by Representative Bland.

On motion of Representative Bland, **HCS SB 1244** was adopted.

On motion of Representative Bland, **HCS SB 1244** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway

Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walker	Walton	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Burcham	Crump	Green 73	Harlan
Holand	Linton	Lograsso	Long	Monaco
Murphy	Robirds	Troupe	Van Zandt	Ward

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

**HCS SB 961**, relating to Kansas City police retirement systems, was taken up by Representative Curls.

On motion of Representative Curls, **HCS SB 961** was adopted.

On motion of Representative Curls, **HCS SB 961** was read the third time and passed by the following vote:

AYES: 119

Abel	Barnett	Barnitz	Barry 100	Bartle
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser

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Froelker	Gambaro	Gaskill	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Monaco	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Villa
Vogel	Walker	Walton	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 029

Ballard	Bartelsmeyer	Bearden	Behnen	Boatright
Byrd	Cooper	Crowell	Cunningham	Dempsey
Hanaway	Henderson	Hendrickson	Hunter	Jetton
Kelly 144	King	Legan	Marble	Mayer
Moore	Purgason	Richardson	Ridgeway	Roark
Schwab	Scott	St. Onge	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Burcham	George	Green 73	Holand
Linton	Lograsso	Long	Murphy	Scheve
Troupe	Van Zandt	Wagner	Ward	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS SB 749**, relating to effective dates for laws, was taken up by Representative Monaco.

Representative Froelker requested a division of the question on **HCS SB 749**.

Representative Monaco raised a point of order that the division of the question is out of order pursuant to Rule 65(e).

The Chair ruled the point of order well taken.

On motion of Representative Monaco, **HCS SB 749** was adopted.

On motion of Representative Monaco, **HCS SB 749** was read the third time and passed by the following vote:

AYES: 082

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Gratz	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Liese	Lograsso	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Burcham	Holand	Linton	Long	Murphy
Troupe	Van Zandt			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS SB 1213**, relating to railroad police officers, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS SB 1213** was adopted.

On motion of Representative Hosmer, **HCS SB 1213** was read the third time and passed by the following vote:



AYES: 138

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Boykins
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Rizzo
Roark	Robirds	Ross	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Walker	Walton	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 005

Hendrickson	Lograsso	Merideth	Richardson	Scott
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PRESENT: 000

ABSENT WITH LEAVE: 019

Abel	Baker	Ballard	Bowman	Burcham
Graham	Green 73	Holand	Linton	Long
McKenna	Murphy	Ridgeway	Scheve	Troupe
Van Zandt	Wagner	Ward	Williams	

VACANCIES: 001

Speaker Kreider declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1101**, entitled:

An act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 915, 710 & 907**, entitled:

An act to repeal sections 142.803, 144.020, 144.440, 144.700, 144.805, 155.080 and 226.200, RSMo, relating to measures to increase funding for transportation, and to enact in lieu thereof nine new sections relating to the same subject, with a referendum clause, effective date and a contingent termination date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 923, 828, 876, 694 & 736**, entitled:

An act to repeal sections 28.160, 135.327, 193.125, 193.255, 210.001, 210.145, 210.906, 211.031, 211.181, 211.183, 294.011, 294.024, 294.030, 294.043, 294.060, 294.090, 294.121, 294.141 and 452.402, RSMo, and to enact in lieu thereof twenty-four new sections relating to children and families, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1059**, entitled:

An act to repeal sections 160.011, 160.051, 160.518, 160.530, 161.092, 166.260 and 168.400, RSMo, and to enact in lieu thereof eleven new sections relating to accountability for priority and performance schools.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1104**, entitled:

An act to repeal section 143.811, RSMo, relating to interest paid on refunds, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1112 & 854**, entitled:

An act to repeal sections 44.023, 306.124, 307.177, 542.400, 542.402, 542.404, 542.406, 542.408, 542.410, 542.412, 542.414, 542.416, 542.418, 542.420, 542.422, 570.030, 571.020, 574.105, 574.115, 575.080, 578.008 and 610.021, RSMo, relating to terrorism, and to enact in lieu thereof twenty-six new sections relating to the same subject, with an emergency clause and penalty provisions.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, April 25, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-seventh Day, Tuesday, April 23, 2002, page 1232, line 4, by inserting after said line the following:

House Resolution No. 1485 - Representative Williams

Pages 1248 and 1249, roll call, by showing Representative Kelly (144) voting "aye" rather than "absent with leave".

Pages 1251 and 1252, roll call, by showing Representatives Barry and Behnen voting "no" rather than "absent with leave".

Pages 1259 and 1260, roll call, by showing Representative Kreider voting "no" rather than "aye".

Pages 1259 and 1260, roll call, by showing Representatives Cooper, Crawford, Crowell, Green (15) and King voting "aye" rather than "absent with leave".

Pages 1259 and 1260, roll call, by showing Representatives Fraser and George voting "no" rather than "absent with leave".

Pages 1266 and 1267, roll call, by showing Representatives Crowell and Wagner voting "aye" rather than "absent with leave".

Pages 1266 and 1267, roll call, by showing Representatives Dempsey and Luetkemeyer voting "no" rather than "absent with leave".

Pages 1270 and 1271, roll call, by showing Representative Murphy voting "aye" rather than "absent with leave".

Pages 1270 and 1271, roll call, by showing Representative Dempsey voting "no" rather than "absent with leave".

Pages 1279 and 1280, roll call, by showing Representatives Crawford, Crowell, Dempsey, Luetkemeyer, Paone, Wagner and Ward voting "no" rather than "absent with leave".

Pages 1281 and 1282, roll call, by showing Representatives Bartelsmeyer, Crowell, Dempsey and Hunter voting "aye" rather than "absent with leave".

Pages 1281 and 1282, roll call, by showing Representatives Hoppe, Paone, Wagner and Ward voting "no" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **CRIMINAL LAW**

Thursday, April 25, 2002. Side gallery upon adjournment.  
Executive Session.

#### **CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Thursday, April 25, 2002, 9:15 a.m. Hearing Room 1.  
Executive Session.

#### **CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Thursday, April 25, 2002. Hearing Room 6 upon adjournment.  
Executive Session.

#### **EDUCATION - ELEMENTARY AND SECONDARY**

Thursday, April 25, 2002, 9:30 a.m. Hearing Room 3.  
Executive Session to be held on: HCR 40, SB 718, SB 722, SB 756, SB 860, SCR 36

#### **ETHICS**

Thursday, April 25, 2002, 9:15 a.m. Side gallery.  
Approval and additions to a number of caucuses.

#### **FISCAL REVIEW AND GOVERNMENT REFORM**

Thursday, April 25, 2002, 9:00 a.m. Hearing Room 5.  
Fiscal Review.  
Public Hearing to be held on: HB 1695, HB 1717, HB 1726

#### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, April 30, 2002. Hearing Room 3 immediately upon morning recess. AMENDED.  
Fire Protection District Special Review.

**JUDICIARY**

Thursday, April 25, 2002, 9:30 a.m. Hearing Room 6.

Executive Session to be held on: SB 840

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, April 30, 2002, 8:00 p.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 670, SCR 35

**HOUSE CALENDAR**

FIFTY-NINTH DAY, THURSDAY, APRIL 25, 2002

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1120 - Green (73)
- 2 HB 1121 - Green (73)

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1886 - Rizzo
- 2 HB 1307 - Williams
- 3 HB 1988 - Kelly (144)
- 4 HCS HB 1868 - Barry
- 5 HB 2160 - Britt
- 6 HB 1916 - Franklin
- 7 HCS HB 1231 - Harding
- 8 HB 2097 - Copenhaver
- 9 HCS HB 1318 - George
- 10 HCS HB 1777 - Johnson (61)
- 11 HCS HB 1576 - Hilgemann
- 12 HCS HB 1914 - Mays (50)
- 13 HB 2137 - Crump
- 14 HCS HB 1680 - Hampton
- 15 HB 1708 - Daus
- 16 HB 1427 - Hosmer
- 17 HCS HB 1863 - Whorton
- 18 HCS HB 1923 - Barry
- 19 HB 1813 - Monaco
- 20 HB 1530 - Hoppe
- 21 HB 1721 - Shelton
- 22 HB 1211 - Smith
- 23 HB 1191 - Davis
- 24 HB 1198 - Graham
- 25 HB 1794, HCA 1 - Legan

- 26 HCS HB 1570 - Koller
- 27 HCS HB 1780 - Green (73)
- 28 HCS HB 1445 - Smith
- 29 HB 1663 - Seigfreid
- 30 HB 1596 - Harding
- 31 HB 1084 - Fraser
- 32 HCS HB 1321 & 1491 - Williams
- 33 HCS HB 1723 - Boucher
- 34 HB 1485 - Johnson (90)
- 35 HB 1439, HCA 1 - Myers
- 36 HB 1970 - Townley

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HJR 32 - Barry
- 2 HJR 28 - Villa
- 3 HCS HJR 51 - Whorton

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1460 - Hilgemann
- 3 HS HCS HB 1962 - Monaco
- 4 HCS HB 1143 - Rizzo
- 5 HB 1726, (Fiscal Review 4-22-02) - Walton
- 6 HCS HB 1717 - Foley
- 7 HCS HB 1695, (Fiscal Review 4-22-02) - Selby
- 8 HS HCS HB 1936 - Shoemyer (9)
- 9 HS HCS HB 1729, 1589 & 1435 - Barnitz
- 10 HS HCS HB 1577, 1760, 1433, 1430, 1029 & 1700 - Britt
- 11 HB 1508 - Koller

**HOUSE BILL FOR THIRD READING - REVISION**

HB 2078 - Clayton

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 2155 - Willoughby

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 915, 710 & 907
- 2 SS SCS SB 923, 828, 876, 694 & 736
- 3 SS SCS SB 1059
- 4 SB 1104
- 5 SCS SB 1112 & 854

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 HCS SB 992, (Johnson) - Rizzo
- 3 SB 1124, (Dougherty) - Gambaro
- 4 SCS SB 804, (DePasco) - Sanders Brooks
- 5 SB 639, (Caskey) - Williams
- 6 SCS SB 997, (Quick) - Willoughby
- 7 SCS SB 1132, (Kennedy) - Daus
- 8 SB 708, (Mathewson) - Lawson
- 9 SB 701, (Wiggins) - Lowe
- 10 SB 742, (Caskey) - Monaco
- 11 HCS SCS SB 1210, (Johnson) - Lawson
- 12 SB 1247, (Quick) - Willoughby
- 13 SB 1001, (Mathewson) - Crump
- 14 HCS SB 1078, (Kennedy) - Hoppe
- 15 SB 941, (DePasco) - Mays (50)
- 16 HCS SB 695, (Dougherty) - Barry
- 17 HCS SB 962, (Wiggins) - Jolly
- 18 HCS SB 1119, (Johnson) - Kelly (27)
- 19 SB 1217, (Coleman) - Boykins
- 20 SCS SB 967, (Kennedy) - Hagan-Harrell
- 21 SB 1243, (Johnson) - McKenna
- 22 HCS SCS SB 1212, (Mathewson) - Ransdall
- 23 SB 1041, HCAs 1, 2 & 3 (Russell) - Gratz
- 24 SB 1168, HCA 1 (Russell) - Gratz
- 25 SB 974, (Childers) - Koller
- 26 HCS SB 1251, (Gibbons) - Monaco
- 27 SCS SB 1163, (Steelman) - Ransdall
- 28 SB 720, (Westfall) - Hoppe
- 29 HCS SB 714, (Singleton) - Barry
- 30 SCS SB 729, (Yeckel) - Luetkenhaus
- 31 SB 891, (Kenney) - Rizzo
- 32 HCS SB 932, (Klarich) - Smith
- 33 SCS SB 1015, (Foster) - Relford
- 34 SCS SB 1071, (Klindt) - Lawson
- 35 HCS SB 1094, (Russell) - Green (73)

- 36 SB 1048, (Kenney) - Reinhart
- 37 SB 1028, (Russell) - Luetkemeyer
- 38 SB 812, (Russell) - Holand
- 39 SB 726, (Childers) - Gaskill
- 40 SB 865, (Foster) - Myers
- 41 SCS SB 918, (Klarich) - Linton
- 42 HCS SB 1102, (Westfall) - Hosmer
- 43 SB 1109, (Yeckel) - Portwood
- 44 HCS SCS SB 947, (Klindt) - Farnen
- 45 SCS SB 1207, (Bentley) - Holand
- 46 SCS SB 1151, (Kinder) - Myers
- 47 HCS SCS SB 980, (Singleton) - Hunter
- 48 SCS SB 874, (Bentley) - Franklin
- 49 HCS SB 1186, (Kenney) - Hoppe
- 50 SCS SB 1182, (Singleton) - Barry
- 51 HCS SCS SB 1202, E.C. (Westfall) - Koller
- 52 HCS SB 758, (Bentley) - Hosmer
- 53 SCS SB 1024, (Bentley) - Holand
- 54 SB 976, (Steelman) - Portwood
- 55 SB 644, (Mathewson) - Davis
- 56 SCS SB 1241, 1253 & 1189, (Coleman) - Boykins
- 57 SCS SB 966, (Kennedy) - Gambaro
- 58 SB 798, (Westfall) - Ross
- 59 SCS SB 745, (Russell) - Kelly (144)
- 60 HCS SB 950, (Gibbons) - Griesheimer
- 61 SB 1199, HCA 1 (Foster) - Bearden
- 62 HCS SCS SB 960, (Kenney) - O'Connor
- 63 HCS SCS SB 1093, (Loudon) - Hilgemann
- 64 SB 831, (Loudon) - Gambaro
- 65 HCS SCS SB 957, (Loudon) - Reid
- 66 SCS SB 656, (Rohrbach) - Luetkenhaus
- 67 HCS SCS SB 737, (Cauthorn) - Berkowitz

**SENATE BILL FOR THIRD READING**

SB 1220, (Sims) - O'Toole

**HOUSE BILL WITH SENATE AMENDMENTS**

SCS HCS HB 1101 - Green (73)



# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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FIFTY-NINTH DAY, THURSDAY, APRIL 25, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Dan Russell, Chaplain of Fulton State Hospital.

O Gracious God, we thank You for the beginning of a new day; a day filled with opportunity and decisions, challenges and solutions, that lay before us as citizens. For these difficult decisions placed before this House assembly, we pray for them to have divine guidance and direction. Give them clear insight with wisdom, this day we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Marissa Mafuli, Kevin Covell, Carrie Latimore, Rob Gillam, Nicholas Patrick Russell, Travis Paxton, Brandon Paxton, Mike Johnston, Ryan Dillon, Joseph Clark, Bethany Jones, Amber Brumley and Kenneth R. Thompson, Jr.

The Journal of the fifty-eighth day was approved as corrected.

## RESOLUTION

Representative Troupe, et al, offered House Resolution No. 1586.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1555	-	Representative Barnitz
House Resolution No. 1556		
through		
House Resolution No. 1558	-	Representative Shoemaker (8)
House Resolution No. 1559		
and		
House Resolution No. 1560	-	Representative Fares
House Resolution No. 1561		
and		
House Resolution No. 1562	-	Representative Miller
House Resolution No. 1563		
through		
House Resolution No. 1583	-	Representative Williams
House Resolution No. 1584	-	Representative Bonner
House Resolution No. 1585	-	Representative Bartelsmeyer

House Resolution No. 1587 - Representative Moore  
House Resolution No. 1588 - Representative Gratz  
House Resolution No. 1589  
through  
House Resolution No. 1592 - Representative Hanaway  
House Resolution No. 1593 - Representative Reinhart

## SECOND READING OF SENATE BILLS

**SCS SBs 915, 710 & 907, SS SCS SBs 923, 828, 876, 694 & 736, SS SCS SB 1059, SB 1104** and **SCS SBs 1112 & 854** were read the second time.

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HJR 47, HCS HB 1216** and **HB 1627**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1350, HS HCS HB 1650** and **HCS HB 1656**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 1695 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HB 1726 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## PERFECTION OF HOUSE BILL

**HCS HB 1886**, relating to municipal economic authorities, was taken up by Representative Rizzo.

Representative Van Zandt offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1886, Page 4, Section 99.936, Line 26, by deleting the words "**eminent domain**"; and

Further amend said bill, Page 6, Section 99.936, Line 97, by inserting after the word "**powers**" the following:  
**", excluding powers of eminent domain,"**; and

Further amend said bill, Page 7, Section 99.936, Line 124, by inserting after the number "**99.984**" the following:  
**", excluding powers of eminent domain."**; and

Further amend said bill, Pages 9 and 10, Section 99.942, Lines 1 to 17, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Van Zandt, **House Amendment No. 1** was adopted by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright			

NOES: 001

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkstresser	Burcham	Clayton	Green 73	Hickey
Holand	Marble	May 149	Monaco	

VACANCIES: 001

Representative Campbell offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1886, Page 2, Section 99.915, Line 14, by inserting after all of said line the following:

**“3. No transfer from the general revenue fund to the special allocation fund defined in subsection 20 of section 99.945 shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project.”.**

Representative Campbell moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 020

Baker	Bray 84	Campbell	Clayton	Copenhaver
Fraser	Froelker	Green 73	Hoppe	Koller
Lawson	Liese	Lowe	McKenna	Merideth
Murphy	Seigfreid	Van Zandt	Whorton	Wilson 25

NOES: 131

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burton	Byrd
Carnahan	Cierpiot	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Legan
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn

Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Brooks	Burcham	Champion	Harlan
Hickey	Holand	Rector	Scheve	Shoemaker
Wilson 42				

VACANCIES: 001

Representative Portwood offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1886, Page 2, Section 99.921, Line 2, by deleting the word “**three**” and inserting in lieu thereof the following: “**five**”; and

Further amend said section, Line 5, by inserting after the words “**minority business**” the following:

“**and one shall member shall be appointed by the school boards whose districts are included within the development plan or development area.**”.

On motion of Representative Portwood, **House Amendment No. 3** was adopted.

Representative Hohulin offered **House Amendment No. 4.**

Representative Rizzo raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Lowe offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1886, Page 6, Section 99.936, Line 80, by deleting all of Lines 80 through 88; and

Further amend subsection numbers accordingly and intersectional references accordingly.

On motion of Representative Lowe, **House Amendment No. 4** was adopted.

Representative Boatright offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1886, Page 29, Section 99.984, Line 68, by inserting after all of said line the following:

**“Section B. Section A of this act shall expire on August 28, 2009.”; and**

Further amend said bill, in the title, enacting clause and intersectional references accordingly.

On motion of Representative Boatright, **House Amendment No. 5** was adopted.

Representative Walton offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1886, Page 10, Section 99.942, Line 17, by inserting after all of said line the following:

**"99.944. 1. Any home rule city with more than four hundred thousand inhabitants and located in more than one county, any county with a charter form of government and with more than one million inhabitants, and any city not within a county may by ordinance establish a fund for the purpose of providing funds to community development corporations in such city for comprehensive programs within such city to stimulate economic development, housing, and other public benefits leading to the development of economically sustainable neighborhoods or communities, such fund to be known as the "Community Development Corporation Revolving Fund".**

**2. The community development corporation revolving fund shall be administered by a community development corporation revolving fund board, which shall consist of thirteen members appointed by the chief elected official of such municipality or county, of which one shall be a member of the local regional community development association, and one shall be an owner of a minority business. The initial members shall serve staggered terms of one, two, and three years as determined by the mayor of such city at the time of appointment. Thereafter, successor members shall be appointed by the mayor for a term of three years, and shall hold office until a successor is appointed. Any member may be removed by the mayor for inefficiency, neglect of duty, or misconduct. All vacancies shall be filled by appointment of the mayor for the unexpired term. No member shall receive compensation for the member's services, but shall be entitled to necessary and reasonable expenses, including travel expenses, incurred in the discharge of the member's duties.**

**3. Beginning January 1, 2003, up to five percent of the new state revenues, as defined in subsection 8 of section 99.845, from the estimated sales and business income taxes generated from developments funded pursuant to sections 99.915 to 99.984 may be available for appropriation by the general assembly to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the community development corporation revolving fund but at no time shall the amount received from the sales or business income taxes and deposited in the fund exceed one million five hundred thousand dollars annually.**

**4. From moneys in the community development corporation revolving fund, the community development corporation revolving fund board shall provide grants and forgivable loans to community development corporations in such city for community economic development activities implemented by such corporations. The board shall give special funding consideration to collaborations on community development projects between developers organized for profit and nonprofit developers. All expenses for such projects shall be paid for out of the community development corporation revolving fund. Any moneys appropriated, all payments in lieu of taxes, as defined in section 99.945, and any other moneys made available by gift, grant, bequest, contribution, or otherwise to carry out the purposes of this section, and all interest earned on, and income generated from, moneys in the fund shall be paid to, and deposited in, the community development corporation revolving fund."; and**

Further amend said bill, Page 15, Section 99.948, Line 12, by inserting after the word "**inhabitants**," the following:

**"for any county with a charter form of government and with more than one million inhabitants, and for any city not within a county,"; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Myers raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Walton, **House Amendment No. 6** was adopted.

On motion of Representative Rizzo, **HCS HB 1886, as amended**, was adopted.

On motion of Representative Rizzo, **HCS HB 1886, as amended**, was ordered perfected and printed by the following vote:

AYES: 127

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Britt	Burton	Byrd	Campbell	Carnahan
Clayton	Cooper	Copenhaver	Crowell	Crump
Curls	Daus	Dolan	Fares	Foley
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Hegeman	Henderson
Hendrickson	Hilgemann	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mays 50	McKenna	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 023

Baker	Bray 84	Champion	Crawford	Cunningham
Davis	Dempsey	Farnen	Franklin	Fraser
Green 73	Haywood	Hohulin	Hollingsworth	Lawson
Linton	Merideth	Murphy	Purgason	Reid
Seigfreid	Townley	Wilson 25		

PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Berkstresser	Boykins	Brooks	Burcham
Cierpiot	Enz	Harlan	Hickey	Holand
Long	Mayer			

VACANCIES: 001

Representative Britt assumed the Chair.

### THIRD READING OF HOUSE BILL - REVISION

**HB 2078**, relating to repeal of expired sections, was taken up by Representative Clayton.

On motion of Representative Clayton, **HB 2078** was read the third time and passed by the following vote:

AYES: 144

Abel	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith



St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Kelley 47                      Murphy

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Barnett	Behnen	Berkstresser
Boykins	Burcham	Byrd	Franklin	Green 73
Harlan	Holand	Lograsso	Long	Monaco
Van Zandt				

VACANCIES: 001

Representative Britt declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HB 1460**, relating to compulsory school age, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **HB 1460** was read the third time and passed by the following vote:

AYES: 091

Abel	Barry 100	Bearden	Berkowitz	Black
Bland	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Byrd	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Dempsey	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	George	Graham
Gratz	Hagan-Harrell	Hanaway	Harding	Harlan
Haywood	Hegeman	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Lawson
Liese	Lowe	Luetkenhaus	Marsh	Mays 50
Merideth	Monaco	Moore	Murphy	Myers
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Quinn	Ransdall	Reid	Relford	Reynolds
Scheve	Schwab	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Walker
Walton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 062

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Boatright	Bonner	Burton	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham

Davis	Dolan	Enz	Gaskill	Griesheimer
Hampton	Hartzler	Henderson	Hendrickson	Hunter
Jetton	Kelley 47	Kelly 144	King	Koller
Legan	Linton	Luetkemeyer	Marble	May 149
Mayer	McKenna	Miller	Naeger	Nordwald
Phillips	Portwood	Purgason	Rector	Reinhart
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scott	Secrest	Shoemaker	St. Onge
Surface	Townley	Vogel	Wagner	Ward
Whorton	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Berkstresser	Burcham	Green 15	Green 73
Hohulin	Holand	Lograsso	Long	

VACANCIES: 001

Representative Britt declared the bill passed.

**HCS HB 1717**, relating to certificate of need, was taken up by Representative Foley.

On motion of Representative Foley, **HCS HB 1717** was read the third time and passed by the following vote:

AYES: 119

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Bland	Boatright
Bonner	Boucher	Bowman	Britt	Burton
Byrd	Campbell	Carnahan	Champion	Copenhaver
Crawford	Crump	Curls	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hunter	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Relford
Reynolds	Robirds	Ross	Scheve	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	

NOES: 028

Bartle	Black	Bray 84	Cierpiot	Clayton
Crowell	Cunningham	Enz	Harlan	Jetton
Kelley 47	Kelly 144	Marble	Monaco	Moore
Murphy	Myers	Naeger	Reinhart	Richardson
Ridgeway	Rizzo	Roark	Schwab	Smith
Whorton	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Ballard	Berkstresser	Boykins	Brooks
Burcham	Cooper	Franklin	Green 73	Hohulin
Holand	Hosmer	Linton	Lograsso	Van Zandt

VACANCIES: 001

Representative Britt declared the bill passed.

**HS HCS HB 1962**, relating to court procedures, was taken up by Representative Monaco.

On motion of Representative Monaco, **HS HCS HB 1962** was read the third time and passed by the following vote:

AYES: 132

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Burton	Byrd	Campbell
Carnahan	Cierpiot	Clayton	Cooper	Copenhaver
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hilgemann
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lowe	Luetkemeyer
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Quinn	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

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NOES: 014

Ballard	Boatright	Crawford	Enz	Hendrickson
Long	Marble	Murphy	Phillips	Purgason
Rector	Ridgeway	Roark	Treadway	

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Boykins	Brooks	Burcham	Champion
Franklin	Harlan	Hickey	Hohulin	Holand
Hoppe	Linton	Lograsso	Luetkenhaus	Mays 50
Troupe				

VACANCIES: 001

Representative Britt declared the bill passed.

**HCS HB 1143**, relating to distressed communities, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HCS HB 1143** was read the third time and passed by the following vote:

AYES: 113

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Britt	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Foley	Froelker	Gaskill	George
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secret
Selby	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Surface	Treadway	Vogel	Ward
Willoughby	Wright	Mr. Speaker		

NOES: 036

Baker	Bowman	Bray 84	Campbell	Carnahan
Clayton	Copenhaver	Daus	Farnen	Fraser
Gambaro	Graham	Gratz	Green 73	Harlan
Haywood	Hilgemann	Johnson 61	Jones	Murphy

O'Toole	Paone	Reid	Seigfreid	Shelton
St. Onge	Thompson	Townley	Van Zandt	Villa
Wagner	Walker	Walton	Whorton	Williams
Wilson 25				

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Boykins	Brooks	Burcham	Franklin
Hohulin	Holand	King	Linton	Lograsso
Luetkenhaus	Troupe	Wilson 42		

VACANCIES: 001

Representative Britt declared the bill passed.

**HCS HB 1695**, relating to health issues, was taken up by Representative Selby.

On motion of Representative Selby, **HCS HB 1695** was read the third time and passed by the following vote:

AYES: 136

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Koller	Legan	Liese
Linton	Long	Lowe	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

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NOES: 006

Henderson	Luetkemeyer	Myers	Rector	Roark
Townley				

PRESENT: 000

ABSENT WITH LEAVE: 020

Abel	Baker	Boykins	Burcham	Dolan
Franklin	Gambaro	Hilgemann	Hohulin	Holand
Hosmer	King	Lawson	Lograsso	Luetkenhaus
McKenna	Ostmann	Purgason	Troupe	Van Zandt

VACANCIES: 001

Representative Britt declared the bill passed.

**HS HCS HBs 1729, 1589 & 1435**, relating to concealable weapons, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **HS HCS HBs 1729, 1589 & 1435** was read the third time and passed by the following vote:

AYES: 099

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Britt	Burton	Byrd
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Crump	Cunningham	Davis	Dempsey
Dolan	Enz	Farnen	Froelker	Gaskill
Gratz	Green 15	Griesheimer	Hampton	Hartzler
Hegeman	Henderson	Hickey	Holt	Hunter
Jetton	Kelley 47	Kelly 144	Kelly 36	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	Smith
Surface	Townley	Treadway	Vogel	Wagner
Ward	Whorton	Wright	Mr. Speaker	

NOES: 050

Baker	Barry 100	Bland	Boucher	Bowman
Bray 84	Brooks	Campbell	Carnahan	Curls
Daus	Franklin	Fraser	Gambaro	Hanaway
George	Graham	Green 73	Hagan-Harrell	Hilgemann
Harding	Harlan	Haywood	Hendrickson	Johnson 61
Hollingsworth	Hoppe	Hosmer	Johnson 90	O'Toole
Jolly	Jones	Kelly 27	Lowe	

Paone	Reynolds	Rizzo	Scheve	Shelton
Skaggs	St. Onge	Thompson	Villa	Walker
Walton	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 013

Abel	Boykins	Burcham	Copenhaver	Foley
Hohulin	Holand	King	Monaco	Nordwald
O'Connor	Troupe	Van Zandt		

VACANCIES: 001

Representative Britt declared the bill passed.

**HB 1508**, relating to outdoor advertising, was taken up by Representative Koller.

On motion of Representative Koller, **HB 1508** was read the third time and passed by the following vote:

AYES: 123

Baker	Ballard	Barnett	Barry 100	Bearden
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	Koller
Lawson	Legan	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Vogel	Walker
Walton	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 023

Barnitz	Bartelsmeyer	Bartle	Behnen	Berkstresser
Boatright	Cierpiot	Enz	Henderson	Jetton
Kelly 144	Linton	Marble	Marsh	Moore
Phillips	Purgason	Ridgeway	Roark	Shoemaker
Villa	Wagner	Ward		

PRESENT: 000

ABSENT WITH LEAVE: 016

Abel	Boykins	Bray 84	Burcham	Copenhaver
Fraser	Harlan	Hohulin	Holand	King
Nordwald	O'Connor	Richardson	Rizzo	Troupe
Van Zandt				

VACANCIES: 001

Representative Britt declared the bill passed.

### THIRD READING OF HOUSE JOINT RESOLUTIONS

**HJR 28**, relating to qualifications of legislators, was taken up by Representative Villa.

Representative Villa moved that **HJR 28** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 079

Barnitz	Barry 100	Berkowitz	Bland	Bonner
Bowman	Britt	Brooks	Carnahan	Champion
Clayton	Crowell	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hanaway	Harding	Harlan
Haywood	Hilgemann	Hollingsworth	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Koller	Lawson	Liese	Marsh
Mays 50	McKenna	Merideth	Naeger	O'Toole
Overschmidt	Paone	Portwood	Ransdall	Reid
Reynolds	Richardson	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Treadway	Villa	Vogel	Wagner
Walker	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 066

Baker	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Boucher
Burton	Byrd	Campbell	Cierpiot	Cooper
Crawford	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	George	Griesheimer	Hampton
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Holt	Hoppe	Hunter	Kelley 47	Kelly 144
Legan	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Miller
Monaco	Murphy	Myers	Ostmann	Phillips
Purgason	Quinn	Rector	Reinhart	Relford
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	Townley
Whorton				



PRESENT: 000

ABSENT WITH LEAVE: 017

Abel	Ballard	Boykins	Bray 84	Burcham
Copenhaver	Hohulin	Holand	King	Lograsso
Moore	Nordwald	O'Connor	Rizzo	Surface
Troupe	Van Zandt			

VACANCIES: 001

**HCS HJR 51**, relating to hunting and fishing, was taken up by Representative Whorton.

On motion of Representative Whorton, **HCS HJR 51** was read the third time and passed by the following vote:

AYES: 130

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Froelker	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hollingsworth
Holt	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
Koller	Lawson	Legan	Liese	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Cunningham	Gambaro
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PRESENT: 001

Fraser

ABSENT WITH LEAVE: 029

Abel	Baker	Ballard	Boykins	Bray 84
Britt	Brooks	Burcham	Copenhaver	Gaskill
Harlan	Hohulin	Holand	Hoppe	Jones
Kelly 144	King	Linton	Lograsso	Long
Lowe	Moore	Nordwald	O'Connor	Relford
Rizzo	Surface	Troupe	Van Zandt	

VACANCIES: 001

Representative Britt declared the bill passed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HS HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700** - Fiscal Review and Government Reform  
(Fiscal Note)

**HS HCS HB 1650** - Fiscal Review and Government Reform (Fiscal Note)

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS#2 SCS SBs 688, 663, 691, 716, 759, 824 & 955** - Ways and Means

**SCS SBs 915, 710 & 907** - Transportation

**SS SCS SBs 923, 828, 876, 694 & 736** - Children, Families and Health

### **COMMITTEE REPORTS**

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 2065**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 1052**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Commerce and Economic Development**, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **HB 1889** and **HB 1946**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1725**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HB 1828**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Ethics**, Chairman Clayton reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **City of St. Louis Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

To: Representative Robert Clayton

From: Representative Russ Carnahan

Date: April 8, 2002

Re: City of St. Louis Caucus

Listed below are additions and deletions as members of the City of St. Louis Caucus.

<b>Representative</b>	<b>District</b>
/s/ Robin Wright Jones	63
/s/ Michael Daus	67
/s/ Anthony Walker	58
/s/ Toby Paone	66

Louis Ford (Remove)

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **Democratic Majority Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo**.

To: Rep. Robert Clayton  
House Ethics Committee Chairman

From: Rep. Ted Farnen  
Democratic Caucus Chairman

Sub: Addition

Date: April 3, 2002

I respectfully request that Toby Paone, District 66, Anthony Walker, District 58, and Robin Wright Jones, District 63 be added to the Majority Caucus membership.

Thank you.

/s/ Toby Paone (66)

/s/ Anthony Walker (58)

/s/ Robin Wright Jones (63)

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **Freshmen Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

March 27, 2002

Rep. Robert Clayton, Chairman  
Ethics Committee  
State Capitol, Room 413A

Dear Rep. Clayton,

Please add Representative Toby Paone to the membership of the Freshman Caucus.

His signature consenting to this action is included on this request.

Sincerely,

Rep. Carl Bearden

/s/ Rep. Toby Paone

District 66

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April 4, 2002

Rep. Robert Clayton, Chairman  
Ethics Committee  
State Capitol, Room 413A

Dear Rep. Clayton,

Please add Representatives Robin Jones, and Anthony Walker to the membership of the Freshman Caucus.

Their signatures consenting to this action is included on this request.

Sincerely,

Rep. Carl Bearden

/s/ Rep. Robin Jones

District 63

/s/ Rep. Anthony Walker

District 58

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **Freshmen Democratic Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To: Rep. Robert Clayton

From: Rep. Wes Shoemyer

Date: March 19, 2002

Re: Addition to Freshman Democratic Caucus

This memorandum is to request an addition to the Freshman Democratic Caucus, in accordance with Section 105.473.3(2)(c)d RSMo 2000.

/s/ Toby Paone District 66

Mr. Speaker: Your Committee on Ethics, to which was referred the **House Democratic Policy Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To: Robert Clayton, Chairman, Ethics Committee

From: State Representative Russ Carnahan

Date: April 23, 2002

Re: House Democratic Policy Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the House Democratic Policy Caucus.

<b>Representative</b>	<b>District</b>
/s/ Mark Abel	103
/s/ Craig Bland	43
/s/ Marsha Campbell	39
/s/ Russ Carnahan	59
/s/ D.J. Davis	122
/s/ Tom George	74
/s/ Chuck Graham	24
/s/ Meg Harding	30
/s/ Esther Haywood	71
/s/ Rick Johnson	90
/s/ Jenee Lowe	44
/s/ Ryan McKenna	102
/s/ Bill Ransdall	148
/s/ Wes Shoemyer	9
/s/ Wes Wagner	104
/s/ Phil Willoughby	33

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **Legislators for a Moderate Agenda Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To: Chairman Robert Clayton  
Ethics Committee

From: Chairman Wes Wagner  
Caucus for Legislators for a Moderate Agenda

Date: March 12, 2002

Re: Addition of Moderate Agenda Caucus Member

I respectfully add the following name to the Caucus for Legislators for a Moderate Agenda. Thank you for your assistance.

/s/ Dan Ward     District 107

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To: Chairman Robert Clayton  
Ethics Committee

From: Chairman Wes Wagner  
Caucus for Legislators for a Moderate Agenda

Date: April 3, 2002

Re: Addition of Moderate Agenda Caucus Member

I respectfully add the following name to the Caucus for Legislators for a Moderate Agenda. Thank you for your assistance.

/s/ Toby Paone     District 66

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **Missouri Democrats for Life Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

April 2, 2001

To: Representative Clayton

From: Representative David L. Reynolds  
Chairman, Missouri Democrats for Life Caucus

Subject: Addition

I respectfully request that Toby W. Paone be added to the Missouri Democrats for Life Caucus.

/s/ Toby W. Paone  
District 66

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **MO Legislative Black Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

April 3, 2002

Honorable Robert Clayton, Chairman  
Ethics Commission

Re: Missouri Legislative Black Caucus

I would like to request the following state representatives be added as members of the Missouri Legislative Black Caucus.

/s/ Rep. Anthony (Ford) Walker  
District 58  
1706B Preservation Place  
St. Louis, MO 63106

/s/ Rep. Robin Wright Jones  
District 63  
2841 Eads Avenue  
St. Louis, MO 63104

I would also like to request that the Late Senator Paula Carter be removed from the Missouri Legislative Black Caucus.

Sincerely,

/s/ Amber H. Boykins  
Chair

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **Rural Democrats Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

March 12, 2002

Honorable Robert Clayton  
Chairman  
House Ethics Committee  
Capitol Building  
Room 413A  
Jefferson City, MO 65101

Dear Representative Clayton:

I respectfully request Representative Meg Harding, District 30, be added to the roster of members for the Rural Democrats Caucus.

Thank you for your consideration of this request.

Sincerely,

/s/ Denny Merideth, III  
State Representative  
District 162

/s/ Representative Meg Harding

Mr. Speaker: Your Committee on Ethics, to which was referred an addition to the **St. Louis Regional Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

To: Chairman Robert Clayton  
Ethics Committee

From: Chairman Barbara Fraser  
St. Louis Regional Caucus

Date: April 4, 2002

Re: Addition of St. Louis Regional Caucus Member

I respectfully add the following name to the St. Louis Regional Caucus. Thank you for your assistance.

/s/ Robin Jones  
District 63

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To: Chairman Robert Clayton  
Ethics Committee

From: Chairman Barbara Fraser  
St. Louis Regional Caucus

Date: April 4, 2002

Re: Addition of St. Louis Regional Caucus Member

I respectfully add the following name to the St. Louis Regional Caucus. Thank you for your assistance.

/s/ Toby Paone  
District 66



**Committee on Sportsmanship, Safety and Firearms**, Chairman Barnitz reporting:

Mr. Speaker: Your Committee on Sportsmanship, Safety and Firearms, to which was referred **HB 1609**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Ways and Means**, Chairman Hilgemann reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1407**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 41**, introduced by Representative Ransdall, et al, relating to direct broadcast satellite services (DBS).

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1102**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 2002 and ending June 30, 2003.

With Senate Amendment No. 1

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1102, Page 7, Section 2.072, by deleting said section and replacing in lieu thereof the following new section:

“Section 2.072. To the Department of Elementary and Secondary Education  
For the Division of School Improvement

Expense and Equipment .....	<u>600,000</u>
From Video Instructional Development & Educational Opportunity Fund (0 FTE) .....	600,000”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1103**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

With Senate Amendment No. 1

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1103, Page 9, Section 3.200, Line 4, by deleting the number "\$376,960,320" and inserting in lieu thereof the number "\$376,860,320" and further amend said bill by adjusting bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1104**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

With Senate Amendment No. 2 and Senate Amendment No. 3

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1104, Page 16, Section 4.180, by deleting said section and replacing in lieu thereof the following new section:

"Section 4.180. To the Department of Revenue

For the State Lottery Commission

For any and all expenditures, including operating maintenance and repair and minor renovations, necessary for the purpose of operating a state lottery

Personal Service .....	\$6,570,699
Expense and Equipment .....	36,938,817E
From Lottery Enterprise Fund .....	\$43,509,516"

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1104, Page 4, Section 4.010, Line 9, by inserting immediately thereafter the following new section:

"Section 4.014. To the Department of Revenue

To pay costs of printing drivers license manuals in a foreign language

Expense and Equipment	
From Department of Revenue Information Fund (0 F.T.E.) .....	\$20,400"

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1105**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1106**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2002 and ending June 30, 2003.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1107**, entitled:

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

With Senate Amendment No. 1

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1107, Page 17, Section 7.705, by deleting said section and replacing it with the following new section:

“Section 7.705. To the Department of Insurance

For market conduct and financial examinations of insurance companies

Personal Service .....	\$5,333,899
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Expense and Equipment .....	<u>2,095,607</u>
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From Insurance Examiners Fund (Not to exceed 82.00 FTE) .....	\$7,429,506”
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In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1108**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1109**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Secrest is no longer a member of the Environment and Energy Committee.

Representative Rector has been appointed a member of the Environment and Energy Committee.

### **ADJOURNMENT**

On motion of Representative Ransdall, the House adjourned until 3:00 p.m., Monday, April 29, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-eighth Day, Wednesday, April 24, 2002, pages 1298 and 1299, roll call, by showing Representative Shoemaker (8) voting "aye" rather than "no".

Pages 1301 and 1302, roll call, by showing Representatives Copenhaver, Enz, Green (15), Hosmer, Jones, Scott and Wagner, voting "aye" rather than "absent with leave".

Pages 1301 and 1302, roll call, by showing Representative Graham voting "no" rather than "absent with leave".

Pages 1304 and 1305, roll call, by showing Representative Luetkemeyer voting "aye" rather than "absent with leave".

Pages 1305 and 1306, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Page 1313, roll call, by showing Representative Ross voting "aye" rather than "absent with leave".

Pages 1324 and 1325, roll call, by showing Representatives Burton, Crawford, Hosmer, Cunningham, Jones and Wagner voting "aye" rather than "absent with leave".

Pages 1325 and 1326, roll call, by showing Representatives Burton, Crawford, Green (15), Hosmer, Jones and Wagner voting "aye" rather than "absent with leave".

Pages 1326 and 1327, roll call, by showing Representatives Secrest and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1327 and 1328, roll call, by showing Representative Bartle voting "no" rather than "absent with leave".

Pages 1328 and 1329, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1330 and 1331, roll call, by showing Representative Ward voting "aye" rather than "absent with leave".

Pages 1332 and 1333, roll call, by showing Representatives Hosmer, Reynolds, Shields and Ward voting "aye" rather than "absent with leave".

Pages 1333 and 1334, roll call, by showing Representative Robirds voting "aye" rather than "absent with leave".

Pages 1334 and 1335, roll call, by showing Representatives George, Wagner and Ward voting "aye" rather than "absent with leave".

Pages 1336 and 1337, roll call, by showing Representatives Graham, McKenna, Wagner and Ward voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, April 30, 2002, 8:00 a.m. Hearing Room 7.

Executive Session may follow.

Public Hearing to be held on: SB 687, SB 741, SB 923

### **INSURANCE**

Tuesday, April 30, 2002, 8:00 a.m. Hearing Room 5.

Executive Session may follow.

Public Hearing to be held on: SB 893, SB 1227, SCR 58

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, April 30, 2002. Hearing Room 3 immediately upon morning recess. AMENDED.  
Fire Protection District Special Review.

**JUDICIARY**

Tuesday, April 30, 2002. Hearing Room 5 upon morning adjournment.  
Public Hearing to be held on: SB 931

**LABOR**

Tuesday, April 30, 2002, 9:00 a.m. Hearing Room 4.  
Public Hearing to be held on: SB 1005, SCR 41

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Tuesday, April 30, 2002, 8:00 p.m. Hearing Room 6.  
Executive Session may follow.  
Public Hearing to be held on: SB 670, SCR 35

**WAYS AND MEANS**

Tuesday, April 30, 2002, 8:30 a.m. Hearing Room 3.  
Executive Session May Follow  
Public Hearing to be held on: SB 688

**HOUSE CALENDAR**

SIXTIETH DAY, MONDAY, APRIL 29, 2002

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 41

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1120 - Green (73)
- 2 HB 1121 - Green (73)

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1307 - Williams
- 2 HB 1988 - Kelly (144)
- 3 HCS HB 1868 - Barry
- 4 HB 2160 - Britt
- 5 HB 1916 - Franklin
- 6 HCS HB 1231 - Harding
- 7 HB 2097 - Copenhaver
- 8 HCS HB 1318 - George

- 9 HCS HB 1777 - Johnson (61)
- 10 HCS HB 1576 - Hilgemann
- 11 HCS HB 1914 - Mays (50)
- 12 HB 2137 - Crump
- 13 HCS HB 1680 - Hampton
- 14 HB 1708 - Daus
- 15 HB 1427 - Hosmer
- 16 HCS HB 1863 - Whorton
- 17 HCS HB 1923 - Barry
- 18 HB 1813 - Monaco
- 19 HB 1530 - Hoppe
- 20 HB 1721 - Shelton
- 21 HB 1211 - Smith
- 22 HB 1191 - Davis
- 23 HB 1198 - Graham
- 24 HB 1794, HCA 1 - Legan
- 25 HCS HB 1570 - Koller
- 26 HCS HB 1780 - Green (73)
- 27 HCS HB 1445 - Smith
- 28 HB 1663 - Seigfreid
- 29 HB 1596 - Harding
- 30 HB 1084 - Fraser
- 31 HCS HB 1321 & 1491 - Williams
- 32 HCS HB 1723 - Boucher
- 33 HB 1485 - Johnson (90)
- 34 HB 1439, HCA 1 - Myers
- 35 HB 1970 - Townley
- 36 HB 1052 - Ward
- 37 HCS HB 1725 - Walton
- 38 HB 1609 - Robirds
- 39 HCS HB 1828 - Cunningham
- 40 HCS HB 1407 - Riback Wilson (25)
- 41 HCS HB 1889 & 1946 - Rizzo
- 42 HCS HB 2065 - Ransdall

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HJR 32 - Barry
- 2 HCS HJR 47 - Willoughby

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1726 - Walton
- 3 HS HCS HB 1936 - Shoemyer (9)
- 4 HS HCS HB 1577, 1760, 1433, 1430, 1029 & 1700, (Fiscal Review 4-25-02) - Britt
- 5 HS HB 1594 - Gratz
- 6 HCS HB 1216 - Johnson (61)
- 7 HB 1350, E.C. - Liese
- 8 HCS HB 1656 - Wright
- 9 HB 1627 - Kreider
- 10 HS HCS HB 1650 - Hoppe (Fiscal Review 4-25-02)

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 2155 - Willoughby

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 HCS SB 992, (Johnson) - Rizzo
- 3 SB 1124, (Dougherty) - Gambaro
- 4 SCS SB 804, (DePasco) - Sanders Brooks
- 5 SB 639, (Caskey) - Williams
- 6 SCS SB 997, (Quick) - Willoughby
- 7 SCS SB 1132, (Kennedy) - Daus
- 8 SB 708, (Mathewson) - Lawson
- 9 SB 701, (Wiggins) - Lowe
- 10 SB 742, (Caskey) - Monaco
- 11 HCS SCS SB 1210, (Johnson) - Lawson
- 12 SB 1247, (Quick) - Willoughby
- 13 SB 1001, (Mathewson) - Crump
- 14 HCS SB 1078, (Kennedy) - Hoppe
- 15 SB 941, (DePasco) - Mays (50)
- 16 HCS SB 695, (Dougherty) - Barry
- 17 HCS SB 962, (Wiggins) - Jolly
- 18 HCS SB 1119, (Johnson) - Kelly (27)
- 19 SB 1217, (Coleman) - Boykins
- 20 SCS SB 967, (Kennedy) - Hagan-Harrell
- 21 SB 1243, (Johnson) - McKenna
- 22 HCS SCS SB 1212, (Mathewson) - Ransdall
- 23 SB 1041, HCAs 1, 2 & 3 (Russell) - Gratz
- 24 SB 1168, HCA 1 (Russell) - Gratz
- 25 SB 974, (Childers) - Koller
- 26 HCS SB 1251, (Gibbons) - Monaco



- 27 SCS SB 1163, (Steelman) - Ransdall
- 28 SB 720, (Westfall) - Hoppe
- 29 HCS SB 714, (Singleton) - Barry
- 30 SCS SB 729, (Yeckel) - Luetkenhaus
- 31 SB 891, (Kenney) - Rizzo
- 32 HCS SB 932, (Klarich) - Smith
- 33 SCS SB 1015, (Foster) - Relford
- 34 SCS SB 1071, (Klindt) - Lawson
- 35 HCS SB 1094, (Russell) - Green (73)
- 36 SB 1048, (Kenney) - Reinhart
- 37 SB 1028, (Russell) - Luetkemeyer
- 38 SB 812, (Russell) - Holand
- 39 SB 726, (Childers) - Gaskill
- 40 SB 865, (Foster) - Myers
- 41 SCS SB 918, (Klarich) - Linton
- 42 HCS SB 1102, (Westfall) - Hosmer
- 43 SB 1109, (Yeckel) - Portwood
- 44 HCS SCS SB 947, (Klindt) - Farnen
- 45 SCS SB 1207, (Bentley) - Holand
- 46 SCS SB 1151, (Kinder) - Myers
- 47 HCS SCS SB 980, (Singleton) - Hunter
- 48 SCS SB 874, (Bentley) - Franklin
- 49 HCS SB 1186, (Kenney) - Hoppe
- 50 SCS SB 1182, (Singleton) - Barry
- 51 HCS SCS SB 1202, E.C. (Westfall) - Koller
- 52 HCS SB 758, (Bentley) - Hosmer
- 53 SCS SB 1024, (Bentley) - Holand
- 54 SB 976, (Steelman) - Portwood
- 55 SB 644, (Mathewson) - Davis
- 56 SCS SB 1241, 1253 & 1189, (Coleman) - Boykins
- 57 SCS SB 966, (Kennedy) - Gambaro
- 58 SB 798, (Westfall) - Ross
- 59 SCS SB 745, (Russell) - Kelly (144)
- 60 HCS SB 950, (Gibbons) - Griesheimer
- 61 SB 1199, HCA 1 (Foster) - Bearden
- 62 HCS SCS SB 960, (Kenney) - O'Connor
- 63 HCS SCS SB 1093, (Loudon) - Hilgemann
- 64 SB 831, (Loudon) - Gambaro
- 65 HCS SCS SB 957, (Loudon) - Reid
- 66 SCS SB 656, (Rohrbach) - Luetkenhaus
- 67 HCS SCS SB 737, (Cauthorn) - Berkowitz

**SENATE BILL FOR THIRD READING**

SB 1220, (Sims) - O'Toole

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall
- 8 SCS HCS HB 1108 - Kelly (27)
- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTIETH DAY, MONDAY, APRIL 29, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

The weekend brought rain to much of the state, but no rainbow to this Chamber, and no pot of gold, God of our assembly. With the last weeks of this session in view, the needs are great, the time is short, the anxiety level rises, and this House requests immediate provision.

There is strength in this room, Lord, the power of that good kind of leadership which precedes good government. The changes laid out here this week will truly effect change in many people's lives, for some, major alteration in their families, in their schools, in their places of work.

The people count on these women and men to effect that adjustment creatively, that there might be productive progress with the least upheaval. God of our people, please help to make it so. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-ninth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1594 - Representative Naeger  
House Resolution No. 1595  
through  
House Resolution No. 1597 - Representative Shoemaker (8)  
House Resolution No. 1598  
through  
House Resolution No. 1603 - Representative Hanaway  
House Resolution No. 1604 - Representative Surface  
House Resolution No. 1605  
and  
House Resolution No. 1606 - Representative Hanaway  
House Resolution No. 1607 - Representative Legan  
House Resolution No. 1608  
through  
House Resolution No. 1649 - Representative Jetton  
House Resolution No. 1650  
and  
House Resolution No. 1651 - Representative Hanaway

House Resolution No. 1652 - Representative Mayer  
House Resolution No. 1653  
through  
House Resolution No. 1671 - Representative Hanaway  
House Resolution No. 1672 - Representative Vogel  
House Resolution No. 1673 - Representative St. Onge  
House Resolution No. 1674  
through  
House Resolution No. 1678 - Representative Hanaway  
House Resolution No. 1679 - Representative Liese  
House Resolution No. 1680  
through  
House Resolution No. 1682 - Representative Kelly (27)  
House Resolution No. 1683 - Representative Kreider  
House Resolution No. 1684 - Representative Barnett  
House Resolution No. 1685  
and  
House Resolution No. 1686 - Representative Berkowitz

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 41** was read the second time.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1594** and **HCS HB 1886**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Representative Foley suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73

Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 003

Lograsso	Reid	Reynolds
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ABSENT WITH LEAVE: 007

Burcham	Burton	Byrd	Cunningham	Curls
Overschmidt	Purgason			

VACANCIES: 001

## PERFECTION OF HOUSE BILL

**HB 1307**, relating to watercraft regulations, was taken up by Representative Williams.

Representative Williams offered **HS HB 1307**.

Representative Selby offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Substitute for House Bill No. 1307, Page 1, Section 306.123, Line 1, by inserting before said section the following:

“306.122. Motorboat of vessel operator, minimum age, exceptions, penalty.--  
No person under [fourteen] **twelve** years of age shall operate any motorboat or vessel upon the waters of this state unless such person is under the direct on-board supervision of a parent, guardian or other person sixteen years of age or older, or unless the motorboat is moored. No person shall authorize or knowingly permit a motorboat owned by such person or under the person's control to be operated on the waters of this state in violation of this section, nor shall a parent or guardian authorize or knowingly permit such a child, under [fourteen] **twelve** years of age, to operate a motorboat in violation of this section.”; and

Further amend the title and enacting clause accordingly.

Representative Selby moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Champion offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Bill No. 1307, Page 3, Section 306.123, Line 21, by adding after said line the following:

**“No individual shall be detained or stopped strictly for the purpose of checking for said boating safety identification card.”.**

On motion of Representative Champion, **House Amendment No. 2** was adopted.

On motion of Representative Williams, **HS HB 1307, as amended**, was adopted.

On motion of Representative Williams, **HS HB 1307, as amended**, was ordered perfected and printed.

**HOUSE BILLS WITH SENATE AMENDMENTS**

**SCS HCS HB 1101**, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **SCS HCS HB 1101** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1102, as amended**, relating to appropriations, was taken up by Representative Graham.

Representative Graham moved that the House refuse to adopt **SCS HCS HB 1102, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Representative Reid made a substitute motion that the House refuse to adopt **SCS HCS HB 1102, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference and that the House conferees be bound to the House position on Sections 2.020, 2.325 and 2.330.

Which motion was defeated by the following vote:

AYES: 018

Barnitz	Behnen	Cooper	Crawford	Crowell
Crump	Froelker	Green 15	Hickey	Mayer
Moore	Murphy	Quinn	Rector	Reid
Roark	Wright	Mr. Speaker		

NOES: 126

Abel	Baker	Ballard	Barnett	Bartelsmeyer
Bartle	Bearden	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Byrd	Campbell
Carnahan	Champion	Clayton	Copenhaver	Cunningham
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Fraser	Gaskill	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Ransdall	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 018

Barry 100	Brooks	Burcham	Burton	Cierpiot
Curls	Dolan	Franklin	Gambaro	Harlan
Hohulin	Kelly 144	Koller	Long	Monaco
Naeger	Paone	Richardson		

VACANCIES: 001

Representative Graham again moved that the House refuse to adopt **SCS HCS HB 1102, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1103, as amended**, relating to appropriations, was taken up by Representative Graham.

Representative Graham moved that the House refuse to adopt **SCS HCS HB 1103, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1104, as amended**, relating to appropriations, was taken up by Representative Bray.

Representative Bray moved that the House refuse to adopt **SCS HCS HB 1104, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1105**, relating to appropriations, was taken up by Representative Bonner.

Representative Bonner moved that the House refuse to adopt **SCS HCS HB 1105** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1106**, relating to appropriations, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to adopt **SCS HCS HB 1106** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1107, as amended**, relating to appropriations, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to adopt **SCS HCS HB 1107, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1108**, relating to appropriations, was taken up by Representative Kelly (27).

Representative Kelly (27) moved that the House refuse to adopt **SCS HCS HB 1108** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1109**, relating to appropriations, was taken up by Representative Kelly (27).



Representative Kelly (27) moved that the House refuse to adopt **SCS HCS HB 1109** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1110**, relating to appropriations, was taken up by Representative Riback Wilson (25).

Representative Riback Wilson (25) moved that the House refuse to adopt **SCS HCS HB 1110** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1111**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

With Senate Amendment No. 2

#### *Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, Page 26, Section 11.475, Line 4, by inserting immediately after the word “programs” the following: “, and funding for hospital-employed, Medicaid-enrolled physicians in the emergency departments of Level I, II, III Trauma Centers as defined by the Department of Health and Senior Services and Critical Access Hospitals as defined by the Department of Social Services Division of Medical Services contingent upon adoption of an offsetting increase in the applicable provider tax.”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1112**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive’s Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1537**, entitled:

An act to repeal sections 214.330, 362.011 and 473.097, RSMo, relating to administration of small estates, and to enact in lieu thereof three new sections relating to the same subject.

With Senate Amendment No. 1

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1537, Page 1, In the Title, Line 2, by striking the words "administration of small"; and further amend Line 3 of said title, by inserting after the word "estates" the following: "and trusts"; and

Further amend said bill, Page 4, Section 362.011, Line 25, by striking the numeral "362.245" and inserting in lieu thereof the numeral "**362.425**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1659**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2120**, entitled:

An act to repeal section 570.020, RSMo, and to enact in lieu thereof one new section relating to the method of ascertaining the value of property.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SB 1191**, entitled:

An act to amend chapter 8, RSMo, by adding thereto twenty-three new sections relating to the Missouri tobacco settlement authority act, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 1248**, entitled:

An act to repeal sections 143.225, 143.261, 143.811 and 144.190, RSMo, and to enact in lieu thereof seven new sections relating to assessment, collection and refund procedures of taxes, with an emergency clause.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1711**, entitled:

An act to repeal section 163.011, RSMo, and to enact in lieu thereof one new section relating to state school aid, with an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 11.

*Senate Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1711, Page 5, Section 163.011, Line 154, by adding the following language:

“163.031. 1. School districts which meet the requirements of section 163.021 shall be entitled to an amount computed as follows: an amount determined by multiplying the number of eligible pupils by the lesser of the district's equalized operating levy for school purposes as defined in section 163.011 or two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor plus an amount determined by multiplying the number of eligible pupils by the greater of zero or the district's equalized operating levy for school purposes as defined in section 163.011 minus two dollars and seventy-five cents per one hundred dollars assessed valuation multiplied by the guaranteed tax base per eligible pupil times the proration factor. For the purposes of this section, the proration factor shall be equal to the sum of the total appropriation for distribution [under] **pursuant to** subsections 1 and 2 of this section; and the state total of the deductions as calculated in subsection 2 of this section which do not exceed the district entitlements as adjusted by the same proration factor; divided by the amount of the state total of district entitlements before proration as calculated pursuant to this subsection; provided that, if the proration factor so calculated is greater than one, the proration factor for line 1(b) shall be the greater of one or the proration factor for line 1(a) minus five hundredths, and provided that if the proration factor so calculated is less than one, the proration factor for line 1(a) shall be the lesser of one or the proration factor for line 1(b) plus five hundredths.

2. From the district entitlement for each district there shall be deducted the following amounts: an amount determined by multiplying the district equalized assessed valuation by the district's equalized operating levy for school purposes times the district income factor plus ninety percent of any payment received the current year of protested taxes due in prior years no earlier than the 1997 tax year minus the amount of any protested taxes due in the current year and for which notice of protest was received during the current year; one hundred percent of the amount received the previous year for school purposes from intangible taxes, fines, forfeitures and escheats, payments in lieu of taxes and receipts from state assessed railroad and utility tax, except that any penalty paid after July 1, 1995, by a concentrated animal feeding operation as defined by the department of natural resources rule shall not be included; one hundred percent of the amounts received the previous year for school purposes from federal properties pursuant to sections 12.070 and 12.080, RSMo; federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less fifty thousand dollars multiplied by ninety percent or the maximum percentage allowed by federal regulation if that percentage is less than ninety; fifty percent, or the percentage otherwise provided in section 163.087 of Proposition C revenues received the previous year for school purposes from the school district trust fund pursuant to section 163.087; one hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo; and one hundred percent of the amount received the previous year for school purposes from the free textbook fund, pursuant to section 148.360, RSMo.

3. School districts which meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. There shall be individual proration factors for each categorical entitlement provided for in this subsection, and each proration factor shall be determined by annual appropriations, but no categorical proration factor shall exceed the entitlement proration factor established pursuant to subsection 1 of this section, except that the

vocational education entitlement proration factor established pursuant to line 16 of subsection 6 of this section and the educational and screening program entitlements proration factor established pursuant to line 17 of subsection 6 of this section may exceed the entitlement proration factor established pursuant to subsection 1 of this section. The categorical add-on for the district shall be the sum of: seventy-five percent of the costs of adopting and providing a violence prevention program pursuant to section 161.650, RSMo, multiplied by the proration factor; seventy-five percent of the district allowable transportation costs pursuant to section 163.161 multiplied by the proration factor; the special education approved or allowed cost entitlement for the district, provided for by section 162.975, RSMo, multiplied by the proration factor; seventy-five percent of the district gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, multiplied by the proration factor; the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, multiplied by twenty percent, for a district with an operating levy in excess of two dollars and seventy-five cents per one hundred dollars assessed valuation, or twenty-two percent, otherwise times the guaranteed tax base per eligible pupil times two dollars and seventy-five cents per one hundred dollars assessed valuation times the proration factor plus the free and reduced lunch eligible pupil count for the district, as defined in section 163.011, times thirty percent times the guaranteed tax base per eligible pupil times the following quantity: ((the greater of zero or the district's operating levy for school purposes minus two dollars and seventy-five cents per one hundred dollars assessed valuation) times one or, beginning in the fifth year following the effective date of this section, the quotient of the district's fiscal instructional ratio of efficiency for the prior year divided by the fiscal year 1998 statewide average fiscal instructional ratio of efficiency, if the district's prior year fiscal instructional ratio of efficiency is at least five percent below the fiscal year 1998 statewide average) times the proration factor, minus court-ordered state desegregation aid received by the district for operating purposes **provided that an increase in the payment amount of line 14(a) shall be made by the department of elementary and secondary education, if needed, to ensure that a district receives no less total revenue from lines 14(a) and 14(b) than the district would receive if it levied an operating levy no greater than two dollars and seventy-five cents per one hundred dollars assessed valuation**; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515, RSMo, multiplied by the proration factor; the vocational education entitlement for the district, as provided for in section 167.332, RSMo, multiplied by the proration factor and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699, RSMo, times the proration factor.

4. Each district's apportionment shall be the prorated categorical add-ons plus the greater of the district's prorated entitlement minus the total deductions for the district or zero.

5. (1) In the 1993-94 school year and all subsequent school years, pursuant to section 10(c) of article X of the state constitution, a school district shall adjust upward its operating levy for school purposes to the extent necessary for the district to at least maintain the current operating expenditures per pupil received by the district from all sources in the 1992-93 school year, except that its operating levy for school purposes shall not exceed the highest tax rate in effect subsequent to the 1980 tax year, or the minimum rate required by subsection 2 of section 163.021, whichever is less.

(2) The revenue per eligible pupil received by a district from the following sources: line 1 minus line 10, or zero if line 1 minus line 10 is less than zero, plus line 14 of subsection 6 of this section, shall not be less than the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14 per eligible pupil that exceeds the line 14 per pupil amount from the 1997-98 school year, or the revenue per eligible pupil received by a district in the 1992-93 school year from the foundation formula entitlement payment amount plus the amount of line 14(a) per eligible pupil times the quotient of line 1 minus line 10, divided by the number of eligible pupils, or zero if line 1 minus line 10 is less than zero, divided by the revenue per eligible pupil received by the district in the 1992-93 school year from the foundation formula entitlement payment amount, whichever is greater. The department of elementary and secondary education shall make an addition in the payment amount of line 19 of subsection 6 of this section to assure compliance with the provisions contained in this section. **The line 14 per eligible pupil amount for 1997-98 will be recalculated to exclude the voluntary transfer students originally in the calculation.**

(3) For any school district which meets the eligibility criteria for state aid as established in section 163.021, but which [under] **pursuant to** subsections 1 to 4 of this section, receives no state aid for two successive school years, other than categorical add-ons, by August first following the second such school year, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, RSMo. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a

means for the waiver of requirements otherwise imposed on the school district related to the authority of the state board of education to classify school districts pursuant to section 161.092, RSMo, and such other rules as determined by the commissioner of education, except that such waivers shall not include the provisions established pursuant to sections 160.514 and 160.518, RSMo.

(4) In the 1993-94 school year and each school year thereafter for two years, those districts which are entitled to receive state aid [under] **pursuant to** subsections 1 to 4 of this section, shall receive state aid in an amount per eligible pupil as provided in this subsection. For the 1993-94 school year, the amount per eligible pupil shall be twenty-five percent of the amount of state aid per eligible pupil calculated for the district for the 1993-94 school year pursuant to subsections 1 to 4 of this section plus seventy-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1993-94 school year pursuant to subsections 1 to 4 of this section. For the 1994-95 school year, the amount per eligible pupil shall be fifty percent of the amount of state aid per eligible pupil calculated for the district for the 1994-95 school year pursuant to subsections 1 to 4 of this section plus fifty percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1994-95 school year pursuant to subsections 1 to 4 of this section. For the 1995-96 school year, the amount of state aid per eligible pupil shall be seventy-five percent of the amount of state aid per eligible pupil calculated for the district for the 1995-96 school year pursuant to subsections 1 to 4 of this section plus twenty-five percent of the total amount of state aid received by the district from all sources for the 1992-93 school year for which the district is entitled and which are distributed in the 1995-96 school year pursuant to subsections 1 to 4 of this section. Nothing in this subdivision shall be construed to limit the authority of a school district to raise its district operating levy pursuant to subdivision (1) of this subsection.

(5) If the total of state aid apportionments to all districts pursuant to subdivision (3) of this subsection is less than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then the difference shall be deposited in the outstanding schools trust fund. If the total of state aid apportionments to all districts pursuant to subdivision (1) of this subsection is greater than the total of state aid apportionments calculated pursuant to subsections 1 to 4 of this section, then funds shall be transferred from the outstanding schools trust fund to the state school moneys fund to the extent necessary to fund the district entitlements as modified by subdivision (4) of this subsection for that school year with a district entitlement proration factor no less than one and such transfer shall be given priority over all other uses for the outstanding schools trust fund as otherwise provided by law.

6. State aid shall be determined as follows:

District Entitlement

1(a). Number of eligible pupils x  
(lesser of district's equalized  
operating levy for school  
purposes or two dollars and  
seventy-five cents per one  
hundred dollars assessed valuation)  
x (proration x GTB per EP) ..... \$.....

1(b). Number of eligible pupils x (greater  
of: 0, or district's equalized  
operating levy for school purposes  
minus two dollars and seventy-five cents  
per one hundred dollars assessed  
valuation) x (proration x GTB  
per EP) ..... \$.....

Deductions

2. District equalized assessed valuation x  
district income factor x district's  
equalized operating levy for school  
purposes plus ninety percent  
of any payment received the current  
year of protested taxes due in prior  
years no earlier than the 1997 tax  
year minus the amount of any protested

- taxes due in the current year and for which notice of protest was received during the current year . . . . . \$.....
3. Intangible taxes, fines, forfeitures, escheats, payments in lieu of taxes, etc. (100% of the amount received the previous year for school purposes) . . . . . \$.....
4. Receipts from state assessed railroad and utility tax (100% of the amount received the previous year for school purposes) . . . . . \$.....
5. Receipts from federal properties pursuant to sections 12.070 and 12.080, RSMo (100% of the amount received the previous year for school purposes) . . . . . \$.....
6. (Federal impact aid received the previous year for school purposes pursuant to P.L. 81-874 less \$50,000) x 90% or the maximum percentage allowed by federal regulations if less than 90% . . . . . \$.....
7. Fifty percent or the percentage otherwise provided in section 163.087 of Proposition C receipts from the school district trust fund received the previous year for school purposes pursuant to section 163.087 . . . . . \$.....
8. One hundred percent of the amount received the previous year for school purposes from the fair share fund pursuant to section 149.015, RSMo . . . . . \$.....
9. One hundred percent of the amount received the previous year for school purposes from the free textbook fund pursuant to section 148.360, RSMo . . . . . \$.....
10. Total deductions (sum of lines 2-9) . . . . . \$.....
- Categorical Add-ons
11. The amount distributed pursuant to section 163.161 x proration . . . . . \$.....
12. Special education approved or allowed cost entitlement for the district pursuant to section 162.975, RSMo, x proration . . . . . \$.....
13. Seventy-five percent of the gifted education approved or allowable cost entitlement as determined pursuant to section 162.975, RSMo, x proration . . . . . \$.....
- 14(a). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011, x .20, if operating levy in excess of \$2.75, or .22, otherwise x GTB per EP x \$2.75 per \$100 AV x proration . . . . . \$.....

- 14(b). Free and reduced lunch eligible pupil count for the district, as defined in section 163.011 x .30 x GTB x ((the greater of zero or the district's adjusted operating levy minus \$2.75 per \$100 AV) x (1.0 or, beginning in the fifth year following the effective date of this section, the district's FIRE for the prior year/statewide average FIRE for FY 1998, if the district's prior year FIRE is at least five percent below the FY 1998 statewide average FIRE) x proration) - court-ordered state desegregation aid received by the district for operating purposes . . . . . \$.....
15. Career ladder entitlement for the district as provided for in sections 168.500 to 168.515, RSMo, x proration . . . . . \$.....
16. Vocational education entitlements for the district as provided in section 167.332, RSMo, x proration . . . . . \$.....
17. Educational and screening program entitlements for the district as provided in sections 178.691 to 178.699, RSMo, x proration . . . . . \$.....
18. Sum of categorical add-ons for the district (sum of lines 11-17) . . . . . \$.....
19. District apportionment (line 18 plus the greater of line 1 minus line 10 or zero) . . . . . \$.....

7. Revenue received for school purposes by each school district pursuant to this section shall be placed in each of the incidental and teachers' funds based on the ratio of the property tax rate in the district for that fund to the total tax rate in the district for the two funds.

8. In addition to the penalty for line 14 described in subsection 6 of this section, beginning in school year 2004-05, any increase in a school district's funds received pursuant to line 14 of subsection 6 of this section over the 1997-98 school year shall be reduced by one percent for each full percentage point the percentage of the district's pupils scoring at or above five percent below the statewide average level on either mathematics or reading is less than sixty-five percent.

9. If a school district's annual audit discloses that students were inappropriately identified as eligible for free or reduced-price lunch and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of line 14 aid paid on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of the line 14 aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.”.

*Senate Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1711, Page 2, Section 163.011, Lines 40-42, by striking said lines; and further amend said section by renumbering the remaining subdivisions accordingly.

*Senate Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1711, Page 1, Section A, Line 2, by inserting after all of said line the following:

“160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 178, RSMo, the following terms mean:

(1) “District” or “school district”, when used alone, may include seven-director, urban, and metropolitan school districts;

(2) “Elementary school”, a public school giving instruction in a grade or grades not higher than the eighth grade;

(3) **“Family literacy programs”, services of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in families that include:**

(a) **Interactive literacy activities between parents and their children;**

(b) **Training of parents regarding how to be the primary teacher of their children and full partners in the education of their children;**

(c) **Parent literacy training that leads to high school completion and/or economic self sufficiency; and**

(d) **An age-appropriate education to prepare children of all ages for success in school;**

[(3)] (4) “Graduation rate”, the quotient of the number of graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year;

[(4)] (5) “High school”, a public school giving instruction in a grade or grades not lower than the ninth nor higher than the twelfth grade;

[(5)] (6) “Metropolitan school district”, any school district the boundaries of which are coterminous with the limits of any city which is not within a county;

[(6)] (7) “Public school” includes all elementary and high schools operated at public expense;

[(7)] (8) “School board”, the board of education having general control of the property and affairs of any school district;

[(8)] (9) “School term”, a minimum of one hundred seventy-four school days, as that term is defined in section 160.041, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031, RSMo, during a twelve-month period in which the academic instruction of pupils is actually and regularly carried on for a group of students in the public schools of any school district. A “school term” may be within a school year or may consist of parts of two consecutive school years, but does not include summer school. A district may choose to operate two or more terms for different groups of children;

[(9)] (10) “Secretary”, the secretary of the board of a school district;

[(10)] (11) “Seven-director district”, any school district which has seven directors and includes urban districts regardless of the number of directors an urban district may have unless otherwise provided by law;

[(11)] (12) “Taxpayer”, any individual who has paid taxes to the state or any subdivision thereof within the immediately preceding twelve-month period or the spouse of such individual;

[(12)] (13) “Town”, any town or village, whether or not incorporated, the plat of which has been filed in the office of the recorder of deeds of the county in which it is situated;

[(13)] (14) “Urban school district”, any district which includes more than half of the population or land area of any city which has not less than seventy thousand inhabitants, other than a city which is not within a county.

160.051. 1. A system of free public schools is established throughout the state for the gratuitous instruction of persons between the ages of five and twenty-one years. Any child whose fifth birthday occurs before the first day of August shall be deemed to have attained the age of five years at the commencement of the school year beginning in that calendar year or at the commencement of the summer school session immediately prior to the school term beginning in the school year beginning in that calendar year, whichever is earlier, for the purpose of apportioning state school funds and for all other purposes.

**2. Public schools may establish family literacy programs for children of all ages and their families.**

[2.] **3.** The department of elementary and secondary education shall not use school for kindergarten pupils in the summer preceding such pupils' regular fall starting date as an element of the standards of the Missouri school improvement program.

160.518. 1. Consistent with the provisions contained in section 160.526, the state board of education shall develop a statewide assessment system that provides maximum flexibility for local school districts to determine the degree to which students in the public schools of the state are proficient in the knowledge, skills and competencies adopted by such board pursuant to subsection 1 of section 160.514. The statewide assessment system shall assess problem solving, analytical ability, evaluation, creativity and application ability in the different content areas and shall



be performance-based to identify what students know, as well as what they are able to do, and shall enable teachers to evaluate actual academic performance. The assessment system shall neither promote nor prohibit rote memorization and shall not include existing versions of tests approved for use pursuant to the provisions of section 160.257, nor enhanced versions of such tests. The statewide assessment shall measure, where appropriate by grade level, a student's knowledge of academic subjects including, but not limited to, reading skills, writing skills, mathematics skills, world and American history, forms of government, geography and science.

2. The assessment system shall only permit the academic performance of students in each school in the state to be tracked against prior academic performance in the same school.

3. The state board of education shall suggest criteria for a school to demonstrate that its students learn the knowledge, skills and competencies at exemplary levels worthy of imitation by students in other schools in the state and nation. "Exemplary levels" shall be measured by the assessment system developed pursuant to subsection 1 of this section, or until said assessment is available, by indicators approved for such use by the state board of education. The provisions of other law to the contrary notwithstanding, the commissioner of education may, upon request of the school district, present a plan for the waiver of rules and regulations to any such school, to be known as "Outstanding Schools Waivers", consistent with the provisions of subsection 4 of this section.

4. For any school that meets the criteria established by the state board of education for three successive school years pursuant to the provisions of subsection 3 of this section, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092, RSMo, and such other rules and regulations as determined by the commissioner of education, excepting such waivers shall be confined to the school and not other schools in the district unless such other schools meet the criteria established by the state board of education consistent with subsection 3 of this section and the waivers shall not include the requirements contained in this section and section 160.514. Any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the criteria established by the state board of education consistent with subsection 3 of this section.

5. The score on any assessment test developed pursuant to this section or this chapter of any student for whom English is a second language shall not be counted until such time as such student has been educated for three full school years in a school in this state, or in any other state, in which English is the primary language.

**6. The state board of education shall identify or, if necessary, establish one or more developmentally appropriate alternate assessments for students who receive special educational services, as that term is defined pursuant to section 162.675, RSMo. In the development of such alternate assessments, the state board shall establish an advisory panel consisting of a majority of active special education teachers and other education professionals as appropriate to research available assessment options. The advisory panel shall attempt to identify preexisting developmentally appropriate alternate assessments but shall, if necessary, develop alternate assessments and recommend one or more alternate assessments for adoption by the state board. The state board shall consider the recommendations of the advisory council in establishing such alternate assessment or assessments. Any student who receives special educational services, as that term is defined pursuant to section 162.675, RSMo, shall be assessed by an alternate assessment established pursuant to this subsection upon a determination by the student's individualized education program team that such alternate assessment is more appropriate to assess the student's knowledge, skills and competencies than the assessment developed pursuant to subsection 1 of this section. The alternative assessment shall evaluate the student's independent living skills, which includes how effectively the student addresses common life demands and how well the student meets standards for personal independence expected for someone in the student's age group, sociocultural background, and community setting.**

160.530. 1. Beginning with fiscal year 1994 and for all fiscal years thereafter, in order to be eligible for state aid distributed pursuant to section 163.031, RSMo, a school district shall allocate one percent of moneys received pursuant to section 163.031, RSMo, exclusive of categorical add-ons, to the professional development committee of the district as established in subdivision (1) of subsection 4 of section 168.400, RSMo. Of the moneys allocated to the professional development committee in any fiscal year as specified by this subsection, seventy-five percent of such funds shall be

spent in the same fiscal year for purposes determined by the professional development committee after consultation with the administrators of the school district and approved by the local board of education as meeting the objectives of a school improvement plan of the district that has been developed by the local board. Moneys expended for staff training pursuant to any provisions of this act shall not be considered in determining the requirements for school districts imposed by this subsection.

2. Beginning with fiscal year 1994 and for all fiscal years thereafter, ninety percent of one percent of moneys appropriated to the department of elementary and secondary education otherwise distributed to the public schools of the state pursuant to the provisions of section 163.031, RSMo, exclusive of categorical add-ons, shall be distributed by the commissioner of education to address statewide areas of critical need for learning and development as determined by rule and regulation of the state board of education with the advice of the commission established by section 160.510 and the advisory council provided by subsection 1 of section 168.015, RSMo. The moneys described in this subsection may be distributed by the commissioner of education to colleges, universities, private associations, professional education associations, statewide associations organized for the benefit of members of boards of education, public elementary and secondary schools, and other associations and organizations that provide professional development opportunities for teachers, administrators, **family literacy personnel** and boards of education for the purpose of addressing statewide areas of critical need, provided that subdivisions (1), [and] (2) and (3) of this subsection shall constitute priority uses for such moneys. "Statewide areas of critical need for learning and development" shall include:

(1) Funding the operation of state management teams in districts with academically deficient schools and providing resources specified by the management team as needed in such districts;

(2) Funding for grants to districts, upon application to the department of elementary and secondary education, for resources identified as necessary by the district, for those districts which are failing to achieve assessment standards;

**(3) Funding for family literacy programs;**

[(3)] (4) Ensuring that all children, especially children at risk, children with special needs, and gifted students are successful in school;

[(4)] (5) Increasing parental involvement in the education of their children;

[(5)] (6) Providing information which will assist public school administrators and teachers in understanding the process of site-based decision making;

[(6)] (7) Implementing recommended curriculum frameworks as outlined in section 160.514;

[(7)] (8) Training in new assessment techniques for students;

[(8)] (9) Cooperating with law enforcement authorities to expand successful antidrug programs for students;

[(9)] (10) Strengthening existing curricula of local school districts to stress drug and alcohol prevention;

[(10)] (11) Implementing and promoting programs to combat gang activity in urban areas of the state;

[(11)] (12) Establishing family schools, whereby such schools adopt proven models of one-stop state services for children and families;

[(12)] (13) Expanding adult literacy services; and

[(13)] (14) Training of members of boards of education in the areas deemed important for the training of effective board members as determined by the state board of education.

3. Beginning with fiscal year 1994 and for all fiscal years thereafter, ten percent of one percent of moneys appropriated to the department of elementary and secondary education otherwise distributed to the public schools of the state pursuant to the provisions of section 163.031, RSMo, exclusive of categorical add-ons, shall be distributed in grant awards by the state board of education, by rule and regulation, for the "Success Leads to Success" grant program, which is hereby created. The purpose of the success leads to success grant program shall be to recognize, disseminate and exchange information about the best professional teaching practices and programs in the state that address student needs, and to encourage the staffs of schools with these practices and programs to develop school-to-school networks to share these practices and programs.

**160.531. 1. Beginning with fiscal year 2005 and for all fiscal years thereafter, an amount, as specified in subsection 2 of this section, of the appropriation to the department of elementary and secondary education otherwise distributed to the public schools of the state pursuant to the provisions of section 163.031, RSMo, shall be distributed by the department of elementary and secondary education to establish and fund family literacy programs in school attendance centers declared academically deficient by the state board of education as authorized by section 160.538 or school districts declared unaccredited or provisionally accredited by the state board of education pursuant to section 161.092, RSMo.**

**2. The amount to be distributed by the department of elementary and secondary education to establish and fund family literacy programs pursuant to subsection 1 of this section shall be the lesser of either:**

(1) Five percent of any increase from the total line 14 revenue compared to the total line 14 revenue amount distributed to all school districts in fiscal year 2004; or

(2) One and one-half percent of the total line 14 distribution.

3. The department of elementary and secondary education shall promulgate rules for the distribution of family literacy funds.

4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

160.720. 1. The department of elementary and secondary education shall identify for recognition by the governor schools demonstrating high student achievement to be designated as performance schools. In addition, the department of elementary and secondary education shall identify those waivers of administrative rule authorized under state law appropriate for the recognized school district or school. The department of elementary and secondary education shall endeavor to identify waivers of administrative rule that result in a meaningful reduction in administrative burden on the districts recognized in this section.

2. The department of elementary and secondary education shall identify priority school districts and priority schools based upon the following criteria:

(1) School attendance centers declared academically deficient by the state board of education as authorized by section 160.538;

(2) School districts declared unaccredited or provisionally accredited by the state board of education pursuant to section 161.092, RSMo; or

(3) School districts or school attendance centers that do not meet any of the accreditation standards on student performance established by the state board of education based upon the statewide assessment system authorized pursuant to section 160.518.

3. The board of education of any priority school district or priority school shall submit, as a part of a comprehensive school improvement plan, an accountability compliance statement that shall:

(1) Identify and analyze areas of deficiency in student performance by school, grade and academic content area;

(2) Provide a comprehensive strategy for addressing these areas of deficiency;

(3) Assure disclosure of these areas of deficiency in the school accountability report card required pursuant to section 160.522;

(4) Permit a metropolitan district that is implementing a program of academic improvement in a school or schools identified pursuant to a settlement agreement for a desegregation lawsuit to submit the elements of the accountability compliance statement required in subdivisions (1) to (3) of this subsection for review for possible waiver solely in regard to the schools identified for academic improvement pursuant to the settlement agreement; provided, however, that the department of elementary and secondary education shall meet with any district covered by the provisions of this subdivision prior to the district submitting any element of an accountability compliance statement, so that the department may identify elements of the settlement agreement academic improvement plan that are substantially similar to the requirements contained in this section, and the department shall advise such district if, based on its review, any further plan or reporting of such plans or elements is required; and

(5) Require school boards of each district to annually review the school discipline provisions contained in section 160.261, and sections 167.023, 167.026, 167.117, 167.161 to 167.171 and 167.335, RSMo, and ensure that the district's discipline policies are consistent with the above listed sections.

4. The comprehensive strategy for addressing areas of deficiency required pursuant to this section shall address the following areas:

(1) Align curriculum to address areas of deficiency in student achievement;

(2) Develop, for any student who is not receiving special education services under an individualized education plan pursuant to sections 162.670 to 162.699, RSMo, who is performing at a level not determined or at the lowest level of proficiency in any subject area under the statewide assessment established pursuant to section 160.518, an individual performance plan in that subject area which shall:

- (a) Be developed by the teacher or teachers in consultation with the child's parents or guardian;
- (b) Outline responsibilities for the student, parent or guardian, teachers and administrators in implementing the plan. Such plans shall not require the level of documentation and procedural complexities of an individualized education plan pursuant to sections 162.670 to 162.699, RSMo, but shall contain sufficient detail for all parties to understand their responsibilities in the implementation of the student's performance plan; and
- (c) Require those students performing at a level not determined or at the lowest level of proficiency in any subject area under the statewide assessment established pursuant to section 160.518 to be provided with additional instruction time and for students in grade nine to eleven to retake the assessment;
- (3) Focus state and local professional development funds on the areas of greatest academic need, including a statement relating to accessing the resources and services of the regional professional development center and support from state professional development funds;
- (4) Create programs to improve teacher and administrator effectiveness;
- (5) Establish school accountability councils consistent with the procedures stated in subsection 5 of section 160.538 or align any existing parent advisory council with the requirements of subsection 5 of section 160.538;
- (6) Develop a resource reallocation plan for the district; and
- (7) Consider the need to implement strategies pursuant to this subsection for feeder schools of any priority school.

5. The school district shall include in any program for improvement of teacher and administrator effectiveness in an accountability compliance statement policies that will:

- (1) Require school administrators and teachers, including teachers who are provisionally or temporarily certified, to participate in one of the following programs of professional development:
  - (a) A mentoring program meeting standards established by the state board of education or supervised by an individual previously designated by the department of elementary and secondary education as a regional resource teacher;
  - (b) Successful completion of a training program for certification as a scorer under the statewide assessment program authorized pursuant to section 160.518; or
  - (c) Enrollment and making adequate progress towards national board certification;
- (2) Provide one additional year of intensive professional development assistance to teachers and administrators who do not complete or make adequate progress in the professional development activities described in subdivision (1) of this subsection;
- (3) Exempt from the professional development requirements accountability compliance statement as provided in subdivision (1) of this subsection any individual who:
  - (a) Holds qualifying scores in the appropriate professional assessment as determined by the state board of education or who elects to take and receive a qualifying score of that assessment;
  - (b) Holds national board certification;
  - (c) Is certified as a scorer under the statewide assessment program;
  - (d) Is designated by the department of elementary and secondary education as a regional resource teacher;
  - (e) Serves as a mentor teacher for one school year in a program meeting standards adopted by the state board of education; or
  - (f) Successfully completes an appropriate administrator academy program offered pursuant to section 168.407, RSMo;

6. Any resource reallocation plan shall include at least one of the following elements:

- (1) Reduce class size in areas of academic concern;
- (2) Establish full-day kindergarten or preschool programs;
- (3) Establish after-school, tutoring and other programs offering extended time for learning;
- (4) Employ regional resource teachers designated by the department of elementary and secondary education or national board-certified teachers, along with appropriate salary enhancements for such teachers;
- (5) Establish programs of teacher home visitation to encourage parental support of student learning; and
- (6) Create "school within a school" programs to achieve smaller learning communities within priority schools.

7. The state board of education shall establish by administrative rule standards to evaluate accountability compliance statements, based upon the following criteria:

(1) An accountability compliance statement shall be submitted to the department of elementary and secondary education on or before August fifteenth following any school year in which a school district meets the criteria established under subsection 2 of this section;

(2) The department of elementary and secondary education shall review and identify areas of deficiency in the plan within thirty days of receipt; and

(3) Changes to the plan shall be forwarded to the department of elementary and secondary education within thirty days of notice to the district of the areas of deficiency.

8. The department of elementary and secondary education shall withhold funds to be paid to the school district, as authorized in section 163.031, RSMo, until such time as the district submits an accountability compliance statement meeting the standards authorized pursuant to this section within the timelines established herein.

9. The department of elementary and secondary education shall develop within three years of the adoption of this section a program of administrator mentoring focusing on the need of priority schools and priority school districts and meeting standards established by the state board of education.

10. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

161.092. The state board of education shall:

(1) Adopt rules governing its own proceedings and formulate policies for the guidance of the commissioner of education and the department of elementary and secondary education;

(2) Carry out the educational policies of the state relating to public schools that are provided by law and supervise instruction in the public schools;

(3) Direct the investment of all moneys received by the state to be applied to the capital of any permanent fund established for the support of public education within the jurisdiction of the department of elementary and secondary education and see that the funds are applied to the branches of educational interest of the state that by grant, gift, devise or law they were originally intended, and if necessary institute suit for and collect the funds and return them to their legitimate channels;

(4) Cause to be assembled information which will reflect continuously the condition and management of the public schools of the state;

(5) Require of county clerks or treasurers, boards of education or other school officers, recorders and treasurers of cities, towns and villages, copies of all records required to be made by them and all other information in relation to the funds and condition of schools and the management thereof that is deemed necessary;

(6) Provide blanks suitable for use by officials in reporting the information required by the board;

(7) When conditions demand, cause the laws relating to schools to be published in a separate volume, with pertinent notes and comments, for the guidance of those charged with the execution of the laws;

(8) Grant, without fee, certificates of qualification and licenses to teach in any of the public schools of the state, **including provisional certification to a person with more than five years teaching experience in that curriculum area and approximate grade level in another state, and permit full certification upon the satisfactory completion of five years teaching in Missouri public schools**, establish requirements therefor, formulate regulations governing the issuance thereof, and cause the certificates to be revoked for the reasons and in the manner provided in section 168.071, RSMo;

(9) Classify the public schools of the state, subject to limitations provided by law, establish requirements for the schools of each class, and formulate rules governing the inspection and accreditation of schools preparatory to classification;

(10) Make an annual report on or before the first Wednesday after the first day of January to the general assembly or, when it is not in session, to the governor for publication and transmission to the general assembly. The report shall be for the last preceding school year, and shall include: (a) a statement of the number of public schools in the state, the number of pupils attending the schools, their sex, and the branches taught; (b) a statement of the number of teachers employed, their sex, their professional training, and their average salary; (c) a statement of the receipts and disbursements of public school funds of every description, their sources, and the purposes for which they were

disbursed; (d) suggestions for the improvement of public schools; and (e) any other information relative to the educational interests of the state that the law requires or the board deems important;

**(11) Make an annual report to the general assembly and the governor concerning coordination with other agencies and departments of government that support family literacy programs and other services which influence educational attainment of children of all ages;**

[(11)] (12) Require from the chief officer of each division of the department of elementary and secondary education, on or before the thirty-first day of August of each year, reports containing information the board deems important and desires for publication;

[(12)] (13) Cause fifty copies of its annual report to be reserved for the use of each division of the state department of elementary and secondary education, and ten copies for preservation in the state library;

[(13)] (14) Have other powers and duties prescribed by law.”; and

Further amend said bill, Page 5, Section 163.011, Line 154, by inserting after all of said line the following:

“166.260. There is hereby created the “Children At-Risk in Education Program” which shall be administered by the commissioner of education. The program shall be funded by moneys provided to school districts pursuant to line 14 of subsection 6 of section 163.031, RSMo, and used solely as determined by local boards of education for: reductions of class size in schools containing high concentrations of children who are least advantaged or who have specially identified educational needs according to rule and regulation of the state board of education; or the following:

(1) The program of half-day instruction for developmentally delayed and at-risk children established pursuant to section 167.260, RSMo;

(2) The program to provide teacher assistants in grades kindergarten through three established pursuant to section 167.263, RSMo;

**(3) The program of family literacy for children and families of children at risk of dropping out of school pursuant to sections 160.531, RSMo;**

[(3)] (4) The program to provide guidance counselors in grades kindergarten through nine established pursuant to section 167.265, RSMo;

[(4)] (5) The programs for pupils at risk of becoming high school dropouts established pursuant to section 167.270, RSMo, including specialized courses of instruction, alternative education programs for pregnant teens and teen mothers and supplemental services for teen mothers;

[(5)] (6) The program of support services to pupils identified as having a high risk of dropping out of school established pursuant to section 167.280, RSMo;

[(6)] (7) The program of professional development committees for in-service training on teaching children identified as at risk of failing in school pursuant to section 168.400, RSMo;

[(7)] (8) A program to contract for mental health services to meet the needs of children who are identified as being at risk of failing school as a result of emotional or environmental factors. Eligible contractors shall be approved by the department of mental health;

[(8)] (9) The program of special education and other special services for at-risk and handicapped children in grades kindergarten through third grade emphasizing prevention and early intervention, rather than remediation, known as the “Success for All Program”;

[(9)] (10) Paying for building site operating costs in the proportion that the free and reduced-price meal eligible student count is to the total enrollment in that building; and

[(10)] (11) Other programs as approved by the commissioner of education that are exclusively targeted to provide educational services for students who are least advantaged or who have specially identified educational needs.

168.400. 1. Sections 168.400 to 168.415 shall be known and may be cited as the “Missouri Professional Teacher and Administrator Act”. This section shall become effective September 1, 1988, and shall establish programs for the following public school personnel:

(1) The preservice teacher or student in training;

(2) The beginning teacher;

(3) The practicing teacher; and

(4) The administrator.

2. Preservice teacher programs established under this section shall include, but need not be limited to, the following provisions:

(1) A program of entry-level testing of all prospective teacher education students shall be established at all

colleges and universities offering approved teacher education programs and, with the advice of the advisory council as provided in section 168.015, shall be administered by the commissioner of education, who shall cause the department of elementary and secondary education to develop or select such tests to establish abilities necessary to receive a satisfactory rating, and to establish procedures for the administering of the test;

(2) The entry-level tests developed under this subsection shall include, but need not be limited to, an examination of basic oral and written communication skills and of basic mathematics skills, and may include both oral and written examinations;

(3) Each prospective teacher education student shall be required to obtain a satisfactory rating prior to admission into the approved teacher education program;

(4) The department of elementary and secondary education, with the advice of the advisory council as provided in section 168.015, shall establish and monitor exit requirements from approved teacher education programs which shall be met by all preservice teacher education students seeking certification in Missouri, and specific criteria for a preservice teacher assessment that all candidates for certification shall meet. The preservice teacher assessment established under this subdivision shall include, but need not be limited to, classroom achievement, practice teaching evaluation and observation, successful participation in assessment centers, interviews, tests and other evaluation measures. **The department of elementary and secondary education shall promulgate rules to allow all preservice teacher education students who have been employed for at least two years as teacher assistants to utilize their teacher assistant experience to bypass the practice teaching evaluation and observation process. These rules shall allow the certified teacher working with the teacher assistant to observe and evaluate the teacher assistants practice teaching. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.** The preservice teacher assessment shall be reviewed by the certifying authority prior to issuance of a certificate. An unsatisfactory assessment shall result in the nonissuance of a certificate. Persons who are aggrieved by the nonissuance of a certificate may appeal such nonissuance in the manner provided in section 168.071. Any costs associated with the entry-level tests or the exit requirements established under this subsection shall be borne by each institution and costs defrayal included in the incidental fees charged to the student.

3. Each approved teacher education program shall require the faculty teaching preservice teacher education courses to further their professional development through direct personal involvement in the public schools in grades kindergarten through twelve on a periodic basis. As used in this subsection, the term "faculty" shall include, but need not be limited to, full- and part-time classroom instructors, and supervisors of practice teaching at institutions offering an approved teacher education program.

4. Beginning teacher assistance programs established under this section shall include, but need not be limited to, the following provisions:

(1) Such programs shall require each school district to provide a plan of professional development for the first two years of teaching for any teacher who does not have prior teaching experience. The professional development plan shall include assistance from a professional development committee, which is hereby established in each school district, which committee shall work with beginning teachers and experienced teachers in identifying instructional concerns and remedies; serve as a confidential consultant upon a teacher's request; assess faculty needs and develop in-service opportunities for school staff; and present to the proper authority faculty suggestions, ideas and recommendations pertaining to classroom instruction within the school district. The members of each professional development committee shall be selected by the teachers employed by the school district in question. The professional development plan may include guidance from a district-designated faculty member employed at a grade level comparable to the instructional grade level of the beginning teacher, and such other forms of assistance which the school district may choose to offer. The professional development committee may apply to the state board of education for a grant, which shall be in addition to any state aid provided to the committee for activities identified in this subdivision. The grant thus awarded shall be used by the committee to provide in-service training to the teachers of the district on teaching children identified as at risk of failing in school as defined in section 167.273. The department of elementary and secondary education shall provide resource materials and assist the committee if such assistance is requested;

(2) Such programs shall include assistance from the teacher education program which provided the teacher's training if such training was provided in a Missouri college or university. Such assistance from the college or university

may include retraining, internships, counseling, and in-service training.

5. The practicing teacher assistance programs established under this section shall include, but need not be limited to, programs of professional development and improvement as provided for experienced teachers by the professional development committee established under subsection 4 of this section, and in-service opportunities as provided by the local school district for all practicing teachers.

6. (1) The administrator assistance programs established under this section shall include, but shall not be limited to, programs of professional development and improvement for superintendents, principals, assistant principals, and other school district personnel charged with administrative duties.

(2) Establishment of programs by local districts and organizations for the training of school board members are encouraged and recommended.

**170.014. 1. This section shall be known as the “Reading Instruction Act” and is enacted to ensure that all public schools establish reading programs based in scientific research and offer explicit systematic phonics instruction in grades kindergarten through three as a significant component of a program of balanced reading instruction and that all new teachers who teach reading in grades kindergarten through three receive adequate training in the teaching of explicit systematic phonics.**

2. As used in this section, “explicit systematic phonics”, means the methodology of pronouncing and reading words by learning the phonetic sound association of individual letters, letter groups and syllables and the principles governing these associations. Reading instruction using implied recognition of words or partial words through the use of pictures or other references other than explicit pronunciation of phonetic letter combinations shall not be admitted as a substitute in compliance with this provisions.

3. Explicit systematic phonics instruction shall be offered in every public school in the state in grades kindergarten through three as a significant component of a program of balanced reading instruction. Nothing in this section shall be construed to allow for implicit phonics methodology as a substitute for the teaching of explicit systematic phonics as defined by this section.

4. On and after July 1, 2005, no teacher shall be certified to teach reading in the public schools of this state in grades kindergarten through three, either as a reading specialist or as a classroom teacher, unless the teacher has successfully completed instruction in explicit systematic phonics at the university or college level.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1711, Page 5, Section 163.011, Line 154, by inserting after all of said line the following:

**“171.053. 1. The general assembly hereby finds and declares that:**

(1) The Future Farmers of America (FFA), Future Homemakers of America (FHA/HERO), Family, Career and Community Leaders of America (FCCLA) and 4-H programs in the state and the organized competitions held as a part of the Missouri state fair involve an education and learning process that is not otherwise available in the regular curriculum of secondary education in Missouri;

(2) The principles and practices learned by school students in such programs are highly beneficial to students;

(3) Participation in such programs should be encouraged; and

(4) One method of encouraging participation in such programs is to allow such participation to be counted as school attendance for the purpose of determining state school aid.

2. It is the purpose and intent of this section to assure that participation of students in sanctioned activities of such programs be allowed to such extent as may be determined appropriate by the school boards of the various school districts.

3. A school board shall allow, pursuant to its written policy and with the approval of the responsible sponsoring school employee, any student enrolled in the district to use such regularly scheduled instructional time as is reasonably necessary for such student to participate in an officially-sanctioned activity of any such program; provided, if the program is not a part of the Missouri state fair or 4-H, that such program has a local chapter which is officially recognized by the student's school.

4. For the purpose of distributing state school aid pursuant to section 163.031, RSMo, a student who is



**participating in an officially-sanctioned activity of any such program, as provided pursuant to subsection 3 of this section, shall be considered to be attending regularly scheduled instruction in the district and such hours of participation occurring during the regular school day shall be included in the district's calculation of average daily attendance, as defined in section 163.011, RSMo.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1711, Page 5, Section 163.011, Line 154, by inserting after all of said line the following:

“163.036. 1. In computing the amount of state aid a school district is entitled to receive under section 163.031, a school district may use an estimate of the number of eligible pupils for the ensuing year, the number of eligible pupils for the immediately preceding year or the number of eligible pupils for the second preceding school year, whichever is greater. Except as otherwise provided in subsection 3 of this section, any error made in the apportionment of state aid because of a difference between the actual number of eligible pupils and the estimated number of eligible pupils shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating eligible pupils exceeds the amount to which the district was actually entitled by more than five percent, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

2. Notwithstanding the provisions of subsection 1 of this section or any other provision of law, the state board of education shall make an adjustment for the immediately preceding year for any increase in the actual number of eligible pupils above the number on which the state aid in section 163.031 was calculated. Said adjustment shall be made in the manner providing for correction of errors under subsection 1 of this section.

3. (1) For any district which has, for at least five years immediately preceding the year in which the error is discovered, adopted a calendar for the school term in which elementary schools are in session for twelve months of each calendar year, any error made in the apportionment of state aid to such district because of a difference between the actual number of eligible pupils and the estimated number of eligible pupils shall be corrected as provided in section 163.091 and subsection 1 of this section, except that if the amount paid exceeds the amount to which the district was actually entitled by more than five percent and the district provides written application to the state board requesting that the deductions be made pursuant to subdivision (2) of this subsection, then the amounts shall be deducted pursuant to subdivision (2) of this subsection.

(2) For deductions made pursuant to this subdivision, interest at the rate of six percent shall be charged on the excess and shall be included in the amount deducted and the total amount of such excess plus accrued interest shall be deducted from the district's apportionment in equal monthly amounts beginning with the succeeding school year and extending for a period of months specified by the district in its written request and no longer than sixty months.

4. For the purposes of distribution of state school aid pursuant to section 163.031, a school district may elect to use the district's equalized assessed valuation for the preceding year, or an estimate of the current year's assessed valuation if the current year's equalized assessed valuation is estimated to be more than ten percent less than the district's equalized assessed valuation for the preceding year. A district shall give prior notice to the department of its intention to use the current year's assessed valuation pursuant to this subsection. Any error made in the apportionment of state aid because of a difference between the actual equalized assessed valuation for the current year and the estimated equalized assessed valuation for the current year shall be corrected as provided in section 163.091, except that if the amount paid to a district estimating current equalized assessed valuation exceeds the amount to which the district was actually entitled, interest at the rate of six percent shall be charged on the excess and shall be added to the amount to be deducted from the district's apportionment the next succeeding year.

**5. For the purposes of distribution of state school aid pursuant to section 163.031, a school district with ten percent or more of its assessed valuation owned by one person or corporation as commercial and/or personal property and this person or corporation is delinquent in its property tax payment, may elect, after receiving notice from the county clerk on or before March fifteenth, except in the year enacted, that more than ten percent of its current taxes due the preceding December thirty-first by a single property owner are delinquent, to use on line 2 of the state aid formula the district's equalized assessed valuation for the preceding year or the actual assessed valuation of the year for which the taxes are delinquent less the assessed valuation of property for which**

the current year's property tax is delinquent. To qualify for use of the actual assessed valuation of the year for which the taxes are delinquent less the assessed valuation of property for which the current year's property tax is delinquent, a district must notify the department of elementary and secondary education on or before April first, except in the year enacted, of the current year amount of delinquent taxes, the assessed valuation of such property for which delinquent taxes are owed and the total assessed valuation of the district for the year in which the taxes were due but not paid. Any district giving such notice to the department of elementary and secondary education shall present verification of the accuracy of such notice obtained from the clerk of the county levying delinquent taxes. When any of the delinquent taxes identified by such notice are paid during a four year period following the due date the county clerk shall give notice to the district and the department of elementary and secondary education and state aid paid to the district shall be reduced by an amount equal to the delinquent taxes received plus interest. The reduction in state aid shall occur over a period not to exceed five years and the interest rate on excess state aid not refunded shall be six percent annually.

6. If a district receives state aid based on equalized assessed valuation as determined by subsection 5 of this section and if prior to such notice the district was paid state aid pursuant to subdivision (2) of subsection 5 of section 163.031, the amount of state aid paid during the year of such notice and the first year following shall equal the sum of state aid paid pursuant to line 1 minus line 10 as defined in subsections 1, 2, 3 and 6 of section 163.031 plus the difference between the state aid amount being paid after such notice minus the amount of state aid the district would have received pursuant to line 1 minus line 10 as defined in subsections 1, 2, 3 and 6 of section 163.031 before such notice. To be eligible to receive state aid based on this provision the district must levy during the first year following such notice at least the maximum levy permitted school districts by article X, section 11(b) of the Missouri Constitution and have a voluntary rollback of its tax rate which is no greater than one cent per one hundred dollars assessed valuation.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1711, Page 1, Section A, Line 2, by inserting immediately after said line the following:

**“82.293. Absent explicit statutory authority, no such city shall enact any ordinance, regulation or resolution that would impose a surcharge or other fee to compensate any political subdivision organized pursuant to chapter 162, RSMo.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1711, Page 6, Section 163.011, Line 6, by adding:

**“Section C. Notwithstanding any other provisions of law, the provisions of this Act will be null and void July 1, 2004.”.**

*Senate Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 1711, Page 1, Section A, Line 2, by inserting after all of said line the following:

**“108.140. 1. The various counties in this state for themselves, as well as for and on behalf of any township, or other political subdivision for which the counties may have issued any general obligation bonds, and the several cities, school districts or other political corporations or subdivisions of the state, are hereby authorized to refund, extend, and unify the whole or part of their valid general obligation bonded indebtedness, or judgment indebtedness, and for such purpose may issue, negotiate, sell and deliver refunding general obligation bonds and with the proceeds therefrom pay costs and expenses related to issuing such refunding general obligation bonds and pay off, redeem and cancel the**

bonds to be refunded in advance of their maturity or redemption or as the same mature or are called for redemption, or pay and cancel such judgment indebtedness, or such refunding general obligation bonds may be issued and delivered in exchange for and upon surrender and cancellation of the bonds refunded thereby, or such judgment indebtedness. In no case shall the refunding general obligation bonds exceed the amount of the principal of the outstanding bond or judgment indebtedness to be refunded and the interest accrued thereon to the date of such refunding bonds. No refunding bond issued as provided in this subsection shall be payable in more than twenty years from the date thereof and such refunding bonds shall bear interest not to exceed the same rate as the bonds refunded, or judgment indebtedness; provided, that nothing in this section shall be so construed as to prohibit any county, city, school district, or other political corporation or subdivision of the state from refunding its general obligation bonded indebtedness without the submission of the question to a popular vote.

2. The various counties in this state for themselves, as well as for and on behalf of any township, or other political subdivision for which the counties may have issued any revenue bonds, notes or other obligations, and the several cities, school districts or other political corporations or subdivisions of the state, are hereby authorized to refund, extend, and unify the whole or part of their valid outstanding revenue bonds, notes or other obligations, and for such purpose may issue, negotiate, sell and deliver refunding revenue bonds, notes or other obligations and with the proceeds therefrom pay off, redeem and cancel the obligations to be refunded in advance of their maturity or redemption or as the same mature or are called for redemption, or such refunding revenue bonds, notes or other obligations may be issued and delivered in exchange for and upon surrender and cancellation of the obligations refunded thereby. In no case shall the refunding revenue bonds, notes or other obligations exceed the amount determined by the governing body of the issuing political corporation or subdivision to be necessary to pay or provide for the payment of the principal of the outstanding obligations to be refunded, together with the interest accrued thereon to the date of such refunding obligations and the interest to accrue thereon to the date of maturity or redemption of such obligations to be refunded and any premium which may be due under the terms of such obligations to be refunded and any amounts necessary for the payment of costs and expenses related to issuing such refunding obligations and to fund a debt service reserve fund for the obligations. All such refunding revenue bonds, notes or other obligations shall bear interest at such rates as the governing body of the issuing political subdivision shall provide, which rates of interest may exceed the rates of interest on the obligations being refunded but shall not exceed the maximum legal rate established by section 108.170. The refunding revenue bonds, notes or other obligations may be payable from the same sources as were pledged to the payment of the obligations refunded and, in the discretion of the governing body of the issuing political subdivision, may be payable from any other source which may be pledged to the payment of revenue bonds, notes or other obligations under any provision of law relating to the issuance of the obligations refunded. Nothing in this section shall be so construed as to prohibit any county, city, school district, or other political corporation or subdivision of the state from refunding its revenue bonded indebtedness without the submission of the question to a popular vote.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 11*

AMEND House Committee Substitute for House Bill No. 1711, Page 3, Section 163.011, Line 53, by adding immediately preceding the “;” on said line the following: “with the second count of summer school average daily attendance not to exceed three percent of the school term average daily attendance”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

**HOUSE BILLS WITH SENATE AMENDMENTS**

**SCS HCS HB 1111, as amended**, relating to appropriations, was taken up by Representative Troupe.

Representative Britt assumed the Chair.

Representative Troupe moved that the House refuse to adopt **SCS HCS HB 1111, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1112**, relating to appropriations, was taken up by Representative Bonner.

Representative Bonner moved that the House refuse to adopt **SCS HCS HB 1112** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**HCS HB 1711, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 11**, relating to state school aid, was taken up by Representative Graham.

Representative Graham moved that the House refuse to concur in **Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 11** to **HCS HB 1711** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HS HB 1594** - Fiscal Review and Government Reform (Fiscal Note)

**HCS HB 1886** - Fiscal Review and Government Reform (Fiscal Note)

### **COMMITTEE REPORTS**

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1077, HB 1187, HB 1579**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Environment and Energy**, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **HB 1599**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1101** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1102, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1103, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1104, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1105** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1106** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1107, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1108** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1109** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1110** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1111, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1112** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Russell, Rohrbach, Westfall, Goode and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, and Senate Amendment No. 11 to HCS HB 1711**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Jacob, Caskey, Bentley, Sims and Kenney.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SCS HCS HB 1101:** Representatives Green (73), Bonner, Merideth, Bearden and Legan

**SCS HCS HB 1102:** Representatives Green (73), Graham, Kreider, Legan and Shields

**HCS HB 1711:** Representatives Graham, Franklin, Davis, Fares and Shields

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, April 30, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-ninth Day, Thursday, April 25, 2002, page 1372, line 12, by inserting immediately after said line, the following:

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1110**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee and the Commission for the Senior Rx Program to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

In which the concurrence of the House is respectfully requested.

Pages 1347 and 1348, roll call, by showing Representative Berkstresser voting "aye" rather than "absent with leave".

Pages 1348 and 1349, roll call, by showing Representatives Champion, Rector and Shoemaker (8) voting "no" rather than "absent with leave".

Pages 1348 and 1349, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 1351 and 1352, roll call, by showing Representatives Berkstresser and Enz voting "aye" rather than "absent with leave".

Pages 1352 and 1353, roll call, by showing Representatives Barnett, Behnen and Berkstresser voting "aye" rather than "absent with leave".

Pages 1353 and 1354, roll call, by showing Representatives Dempsey, Froelker, Moore, Myers and Quinn voting "no" rather than "aye".

Pages 1353 and 1354, roll call, by showing Representative Berkstresser voting "no" rather than "absent with leave".

Pages 1354 and 1355, roll call, by showing Representatives Berkstresser, Cooper and Hosmer voting "aye" rather than "absent with leave".

Pages 1355 and 1356, roll call, by showing Representative Hoppe voting "aye" rather than "absent with leave".

Pages 1356 and 1357, roll call, by showing Representatives King and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1357 and 1358, roll call, by showing Representatives Hosmer and King voting "aye" rather than "absent with leave".

Pages 1358 and 1359, roll call, by showing Representative King voting "aye" rather than "absent with leave".

Pages 1359 and 1360, roll call, by showing Representatives Fraser and King voting "aye" rather than "absent with leave".

Pages 1360 and 1361, roll call, by showing Representatives King and Surface voting "no" rather than "absent with leave".

Pages 1361 and 1362, roll call, by showing Representative Fraser voting "no" rather than "present".

Pages 1361 and 1362, roll call, by showing Representative Cunningham voting "aye" rather than "no".



Pages 1361 and 1362, roll call, by showing Representatives Hoppe, Kelly (144), King and Surface voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Tuesday, April 30, 2002, 8:00 a.m. Hearing Room 1.  
Executive Session may follow.  
Public Hearing to be held on: SB 837, SB 1269, SCR 56

### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, April 30, 2002, 8:00 a.m. Hearing Room 7.  
Executive Session may follow.  
Public Hearing to be held on: SB 687, SB 741, SB 923

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Tuesday, April 30, 2002, 7:30 a.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Tuesday, April 30, 2002, 7:30 p.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Wednesday, May 1, 2002, 7:30 a.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Wednesday, May 1, 2002, 7:30 p.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 2, 2002, 7:30 a.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 2, 2002. Hearing Room 3 upon adjournment.  
Bills in conference. SCS HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Friday, May 3, 2002, 8:30 a.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

CONFERENCE COMMITTEE - APPROPRIATIONS

Sunday, May 5, 2002, 2:00 p.m. Hearing Room 3.

Bills in conference. SCS HCS HBs 1101 through 1112.

FISCAL REVIEW AND GOVERNMENT REFORM

Tuesday, April 30, 2002. Hearing Room 4 upon morning recess.

Fiscal Review HS HCS HB 1577,1760,1433, 1430,1029 & 1700 and HCS HB 1650.

INSURANCE

Tuesday, April 30, 2002, 8:00 a.m. Hearing Room 5.

Executive Session may follow.

Public Hearing to be held on: SB 893, SB 1227, SCR 58

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, April 30, 2002. Hearing Room 3 immediately upon morning recess. AMENDED.

Fire Protection District Special Review.

JUDICIARY

Tuesday, April 30, 2002. Hearing Room 5 upon morning adjournment.

Public Hearing to be held on: SB 931

LABOR

Tuesday, April 30, 2002, 9:00 a.m. Hearing Room 4

Public Hearing to be held on: SB 1005, SCR 41

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 1, 2002, 9:15 a.m. Hearing Room 6.

Executive Session to be held on: SB 894

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, April 30, 2002, 8:00 p.m. Hearing Room 6.

Executive session may follow.

Public Hearing to be held on: SB 670, SCR 35

TRANSPORTATION

Wednesday, May 1, 2002, 8:30 a.m. Hearing Room 3.

Executive Session to follow.

Public Hearing to be held on: SB 721, SB 915

WAYS AND MEANS

Tuesday, April 30, 2002, 8:30 a.m. Side gallery. AMENDED NOTICE.

Executive Session may or may no follow.

Public Hearing to be held on: SB 688

**HOUSE CALENDAR**

SIXTY-FIRST DAY, TUESDAY, APRIL 30, 2002

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1120 - Green (73)
- 2 HB 1121 - Green (73)

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1988 - Kelly (144)
- 2 HCS HB 1868 - Barry
- 3 HB 2160 - Britt
- 4 HB 1916 - Franklin
- 5 HCS HB 1231 - Harding
- 6 HB 2097 - Copenhaver
- 7 HCS HB 1318 - George
- 8 HCS HB 1777 - Johnson (61)
- 9 HCS HB 1576 - Hilgemann
- 10 HCS HB 1914 - Mays (50)
- 11 HB 2137 - Crump
- 12 HCS HB 1680 - Hampton
- 13 HB 1708 - Daus
- 14 HB 1427 - Hosmer
- 15 HCS HB 1863 - Whorton
- 16 HCS HB 1923 - Barry
- 17 HB 1813 - Monaco
- 18 HB 1530 - Hoppe
- 19 HB 1721 - Shelton
- 20 HB 1211 - Smith
- 21 HB 1191 - Davis
- 22 HB 1198 - Graham
- 23 HB 1794, HCA 1 - Legan
- 24 HCS HB 1570 - Koller
- 25 HCS HB 1780 - Green (73)
- 26 HCS HB 1445 - Smith
- 27 HB 1663 - Seigfreid
- 28 HB 1596 - Harding
- 29 HB 1084 - Fraser
- 30 HCS HB 1321 & 1491 - Williams
- 31 HCS HB 1723 - Boucher
- 32 HB 1485 - Johnson (90)
- 33 HB 1439, HCA 1 - Myers
- 34 HB 1970 - Townley

- 35 HB 1052 - Ward
- 36 HCS HB 1725 - Walton
- 37 HB 1609 - Robirds
- 38 HCS HB 1828 - Cunningham
- 39 HCS HB 1407 - Riback Wilson (25)
- 40 HCS HB 1889 & 1946 - Foley
- 41 HCS HB 2065 - Ransdall
- 42 HCS HB 1077, 1187 & 1579 - Jolly
- 43 HCS HB 1599 - Lawson

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HJR 32 - Barry
- 2 HCS HJR 47 - Willoughby

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HB 1726 - Walton
- 3 HS HCS HB 1936 - Shoemyer (9)
- 4 HS HCS HB 1577, 1760, 1433, 1430, 1029 & 1700, E.C. (Fiscal Review 4-25-02) - Britt
- 5 HS HB 1594, (Fiscal Review 4-29-02) - Gratz
- 6 HCS HB 1216 - Johnson (61)
- 7 HB 1350, E.C. - Liese
- 8 HCS HB 1656 - Wright
- 9 HB 1627 - Kreider
- 10 HS HCS HB 1650, E.C. (Fiscal Review 4-25-02) - Hoppe
- 11 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo

#### **HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 2155 - Willoughby

#### **SENATE BILLS FOR SECOND READING**

- 1 SS#2 SB 1191
- 2 SS SB 1248

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 HCS SB 992, (Johnson) - Rizzo
- 3 SB 1124, (Dougherty) - Gambaro
- 4 SCS SB 804, (DePasco) - Sanders Brooks
- 5 SB 639, (Caskey) - Williams
- 6 SCS SB 997, (Quick) - Willoughby
- 7 SCS SB 1132, (Kennedy) - Daus
- 8 SB 708, (Mathewson) - Lawson
- 9 SB 701, (Wiggins) - Lowe
- 10 SB 742, (Caskey) - Monaco
- 11 HCS SCS SB 1210, (Johnson) - Lawson
- 12 SB 1247, (Quick) - Willoughby
- 13 SB 1001, (Mathewson) - Crump
- 14 HCS SB 1078, (Kennedy) - Hoppe
- 15 SB 941, (DePasco) - Mays (50)
- 16 HCS SB 695, (Dougherty) - Barry
- 17 HCS SB 962, (Wiggins) - Jolly
- 18 HCS SB 1119, (Johnson) - Kelly (27)
- 19 SB 1217, (Coleman) - Boykins
- 20 SCS SB 967, (Kennedy) - Hagan-Harrell
- 21 SB 1243, (Johnson) - McKenna
- 22 HCS SCS SB 1212, (Mathewson) - Ransdall
- 23 SB 1041, HCAs 1, 2 & 3 (Russell) - Gratz
- 24 SB 1168, HCA 1 (Russell) - Gratz
- 25 SB 974, (Childers) - Koller
- 26 HCS SB 1251, (Gibbons) - Monaco
- 27 SCS SB 1163, (Steelman) - Ransdall
- 28 SB 720, (Westfall) - Hoppe
- 29 HCS SB 714, (Singleton) - Barry
- 30 SCS SB 729, (Yeckel) - Luetkenhaus
- 31 SB 891, (Kenney) - Rizzo
- 32 HCS SB 932, (Klarich) - Smith
- 33 SCS SB 1015, (Foster) - Relford
- 34 SCS SB 1071, (Klindt) - Lawson
- 35 HCS SB 1094, (Russell) - Green (73)
- 36 SB 1048, (Kenney) - Reinhart
- 37 SB 1028, (Russell) - Luetkemeyer
- 38 SB 812, (Russell) - Holand
- 39 SB 726, (Childers) - Gaskill
- 40 SB 865, (Foster) - Myers
- 41 SCS SB 918, (Klarich) - Linton
- 42 HCS SB 1102, (Westfall) - Hosmer
- 43 SB 1109, (Yeckel) - Portwood

- 44 HCS SCS SB 947, (Klindt) - Farnen
- 45 SCS SB 1207, (Bentley) - Holand
- 46 SCS SB 1151, (Kinder) - Myers
- 47 HCS SCS SB 980, (Singleton) - Hunter
- 48 SCS SB 874, (Bentley) - Franklin
- 49 HCS SB 1186, (Kenney) - Hoppe
- 50 SCS SB 1182, (Singleton) - Barry
- 51 HCS SCS SB 1202, E.C. (Westfall) - Koller
- 52 HCS SB 758, (Bentley) - Hosmer
- 53 SCS SB 1024, (Bentley) - Holand
- 54 SB 976, (Steelman) - Portwood
- 55 SB 644, (Mathewson) - Davis
- 56 SCS SB 1241, 1253 & 1189, (Coleman) - Boykins
- 57 SCS SB 966, (Kennedy) - Gambaro
- 58 SB 798, (Westfall) - Ross
- 59 SCS SB 745, (Russell) - Kelly (144)
- 60 HCS SB 950, (Gibbons) - Griesheimer
- 61 SB 1199, HCA 1 (Foster) - Bearden
- 62 HCS SCS SB 960, (Kenney) - O'Connor
- 63 HCS SCS SB 1093, (Loudon) - Hilgemann
- 64 SB 831, (Loudon) - Gambaro
- 65 HCS SCS SB 957, (Loudon) - Reid
- 66 SCS SB 656, (Rohrbach) - Luetkenhaus
- 67 HCS SCS SB 737, (Cauthorn) - Berkowitz

#### **SENATE BILLS FOR THIRD READING**

- 1 SB 1220, (Sims) - O'Toole
- 2 SS SCS SB 959, E.C. (Kenney) - Rizzo

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 2120 - Ridgeway
- 2 SCS HB 1537, as amended - Clayton

#### **BILLS IN CONFERENCE**

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall
- 8 SCS HCS HB 1108 - Kelly (27)

- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)
- 11 SCS HCS HB 1111, as amended - Troupe
- 12 SCS HCS HB 1112 - Bonner
- 13 HCS HB 1711, as amended, E.C. - Graham

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-FIRST DAY, TUESDAY, APRIL 30, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Heavenly Father, we have assembled today to continue this process of dialogue and debate, not just to prove rightness or to right old hurts, but to advance the progress of this state. God of hope, God of challenge, let party allegiance and personal reputation not blind any of these men and women to their prime commitment to serve all the people of this state.

Wisdom in decision flows from inner motivation to build and not to destroy. That strength is readily found in that quiet place within each of our hearts, where You and not ego, are truly God. Help us all to go there now, to find You, and to proceed to this day's decisions with grace, dignity, and purpose. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Luke Boydston, Michael Danner, Taylor Spooner, Mary Meehan, Cedrick Allen, Brittney Robinson, Tim Hoette, Ryann Thompson, Steve Beckmann, Joey Caldwell, Porsha Doyle, Vincent Crossland, Allison Gallagher, Andrea Unger, Steve Davis, Caroline Philipponne, Kristi Wells, Sarah Terry, Vickie Thompson, Kenny Bauer, Alicia Burkhart, Eric Welliver, Ryan Welliver, Casey O'Donnell, Cameron Grandberry, Lorelei Redstone, Corey VonderHaar, Brett Fawcett, Zach Sheffler, Dylan Spinks, Abigayle Knaebel, Lauren Adams and Abby Adams.

The Journal of the sixtieth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1687

and

House Resolution No. 1688 - Representative Fares

House Resolution No. 1689

and

House Resolution No. 1690 - Representative Monaco

House Resolution No. 1691 - Representative Phillips

House Resolution No. 1692 - Representative Surface

House Resolution No. 1693

through

House Resolution No. 1695 - Representatives Myers and Black



House Resolution No. 1696 - Representative Hunter  
 House Resolution No. 1697 - Representative Hickey  
 House Resolution No. 1698  
 and  
 House Resolution No. 1699 - Representative Behnen  
 House Resolution No. 1700 - Representative Crawford  
 House Resolution No. 1701 - Representative Johnson (90)  
 House Resolution No. 1702 - Representative Kelley (47)  
 House Resolution No. 1703 - Representative Williams

## SECOND READING OF SENATE BILLS

**SS#2 SB 1191** and **SS SB 1248** were read the second time.

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1307**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1659**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton

Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Reinhart	Relford
Richardson	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 003

Holand	Reid	Reynolds
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ABSENT WITH LEAVE: 008

Burcham	Byrd	Cooper	Curls	Lograsso
Rector	Ridgeway	Selby		

VACANCIES: 001

## HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1537, as amended**, relating to small estate administration, was taken up by Representative Clayton.

On motion of Representative Clayton, **SCS HB 1537, as amended**, was adopted by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Marble	Marsh

## 1419 *Journal of the House*

May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Burcham	Curls	Enz	Harlan	Kelly 144
Luetkemeyer	Luetkenhaus	Monaco	Nordwald	Phillips
Scott	Skaggs	Troupe		

VACANCIES: 001

On motion of Representative Clayton, **SCS HB 1537, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Smith	St. Onge	Surface	Thompson

Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Burcham	Curls	Enz	Foley	Harlan
Kelly 144	Long	Lowe	Luetkemeyer	Luetkenhaus
Nordwald	Robirds	Scott	Shoemaker	Skaggs

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 2120**, relating to value of property, was taken up by Representative Ridgeway.

Representative Ridgeway moved that the House refuse to adopt **SCS HB 2120** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### **PERFECTION OF HOUSE BILLS**

**HCS HB 1868**, relating to the Regional Taxicab Commission, was taken up by Representative Barry.

Representative Barry offered **HS HCS HB 1868**.

Representative Smith assumed the Chair.

Representative Green (73) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1868 by inserting at the appropriate location the following:

**"238.500. Sections 238.500 to 238.552 shall be known as the "Missouri Regional Transportation Development District Act".**

**238.502. 1. As used in sections 238.500 to 238.552, the following terms mean:**

- (1) "Board", the board of directors of a district;**
- (2) "Commission", the Missouri state highways and transportation commission;**
- (3) "District", a regional transportation development district organized pursuant to sections 238.500 to 238.552;**
- (4) "Local transportation authority", a county, city, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over**

any bridge, street, highway, dock, wharf, ferry, lake, or river port, airport, railroad, light rail, or other transit improvement or service;

(5) "Project" includes construction, renovation, preservation, operation, or maintenance of any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bike, or pedestrian improvement, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake, or river port, airport, railroad, light rail, or other mass transit and any similar or related improvement or infrastructure.

2. For the purposes of article X, sections 11(c), 16, and 22 of the Constitution of Missouri, section 137.073, RSMo, and as used in sections 238.500 to 238.552, the following terms shall have the meanings given:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Registered voters", persons qualified and registered to vote pursuant to chapter 115, RSMo.

238.504. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain, and operate one or more projects or to assist in such activity.

2. A district is a political subdivision of the state.

238.506. 1. Whenever the creation of a district is desired, not less than fifty registered voters from a county or city not within a county may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of any county or city not within a county within the proposed district.

2. Alternatively, the governing body of any county or city not within a county may pass a petition allowing voters to decide upon creation of a district. The petition shall be filed in the circuit court of any county or city not within a county within the proposed district.

3. The proposed district area shall be contiguous and may contain one or more counties and a city not within a county. Property separated only by public streets shall be considered contiguous.

4. The petition shall set forth:

(1) The name, voting residence, and county of residence of each individual petitioner, or shall recite that the petitioner is the governing body of that city or county acting in its official capacity;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the transportation projects proposed to be undertaken by that district;

(4) The name of the proposed district;

(5) The number of members of the board of directors of the proposed district, which shall be three from each county or city not within a county within the proposed district;

(6) A statement that the terms of office of initial board members shall be staggered to expire in two, four, and six years;

(7) If the petition was filed by registered voters or by a governing body, a request that the question be submitted to the qualified voters residing within the limits of the proposed district whether they will establish a regional transportation development district for funding transportation projects;

(8) A proposal for funding the district initially, pursuant to the authority granted in sections 238.500 to 238.552, together with a request that the funding proposal be submitted to the qualified voters residing within the limits of the proposed district.

238.508. 1. If the petition was filed by registered voters or by a governing body, the circuit clerk in whose office the petition was filed shall give notice to the public by causing one or more newspapers of general circulation serving the counties or portions thereof contained in the proposed district to publish once a week for four consecutive weeks a notice substantially in the following form:

#### **NOTICE OF PETITION TO SUBMIT TO A POPULAR VOTE THE CREATION AND FUNDING OF A REGIONAL TRANSPORTATION DEVELOPMENT DISTRICT**

Notice is hereby given to all persons residing in (here specifically describe the proposed district boundaries), within the state of Missouri, that a petition has been filed asking that upon voter approval, a regional transportation development district by the name of "..... Regional Transportation Development District" be formed for the purpose of funding the transportation projects. A copy of this petition is on file and available at the office of the clerk of the circuit court of .... County, located at ....., Missouri. You are notified to join in or file your own petition supporting or answer opposing the creation of the regional transportation development district and requesting a declaratory judgment, as required by law, no later than the ..... day

of ....., 20... You may show cause, if any there be, why such petition is defective or proposed regional transportation development district or its funding method, as set forth in the petition, is illegal or unconstitutional and should not be submitted for voter approval at a general, primary, or special election as directed by this court.

..... Clerk of the Circuit Court of  
..... County.

2. The circuit clerk shall also submit the same notice to the commission.

3. The circuit court may also order a public hearing on the question of the creation of the proposed district, if it deems such appropriate, under such terms and conditions as it deems appropriate. If a public hearing is ordered, notice of the time, date, and place of the hearing shall also be given in the notice specified in this section

238.510. 1. If the circuit court certifies the petition for voter approval, it shall call an election pursuant to section 238.512.

2. At such election for voter approval of the qualified voters, the questions shall be submitted in substantially the following form:

Shall there be organized in (here specifically describe the proposed district boundaries), within the state of Missouri, a regional transportation development district, to be known as the "..... Regional Transportation Development District" for the purpose of funding transportation projects and to have the power to fund the proposed projects upon voter approval by any or all of the following methods: sales tax, tolls, and bonds?

3. The results of the election shall be entered upon the records of the circuit court of the county or city not within a county in which the petition was filed. Also, a certified copy thereof shall be filed with the clerk of each county or city not within a county of the proposed district, who shall cause the same to be spread upon the records of the county commission or the city not within a county. If the results show that a majority of the votes cast by the qualified voters were in favor of organizing the regional transportation development district, the circuit court having jurisdiction of the matter shall declare the district organized. If the results show that less than a majority of the votes cast by the qualified voters were in favor of the organization of the district, the circuit court shall declare that the question has failed to pass, and the same question shall not be again submitted for voter approval for two years.

238.512. 1. Except as otherwise provided in section 238.516 with respect to the election of directors, in order to call any election required or allowed in sections 238.500 to 238.552, the circuit court shall order the clerk to cause the questions to appear on the ballot on the next regularly scheduled municipal, or state general, primary, or special election day, which date shall be the same in each county or city not within a county included within and voting upon the proposed district.

2. The results of the election shall be entered upon the records of the circuit court of the county in which the petition was filed. Also, a certified copy thereof shall be filed with the clerk of each county and city not within a county of the proposed district, who shall cause the same to be spread upon the records of the county commission and the city not within a county.

238.514. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized pursuant to sections 238.500 to 238.552, the petitioners may be reimbursed for such costs out of the revenues received by the district.

238.516. 1. At the time of the organizing election, three directors from each county or city not within a county shall be elected.

2. Candidates shall pay the sum of fifty dollars as a filing fee to the clerk of the county or city not within a county and shall file with the election authority of such county or city not within a county a statement under oath that the candidate possesses all of the qualifications set out in this section for a director. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

3. The director or directors to be elected shall be elected at large within the county or city not within a county. The candidate receiving the most votes from qualified voters shall be elected to the position having the six-year term, the second highest total votes elected to the position having the four-year term, and the third highest total votes elected to the position having a two-year term. Each initial director shall serve the term to which the director was elected, and until a successor is duly elected and qualified. Each successor director shall serve a six-year term. The directors shall nominate and elect an interim director to complete any unexpired term

of a director caused by resignation or disqualification.

4. Each director shall be a resident of the district. Directors shall be registered voters at least twenty-one years of age.

238.518. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. The board shall meet within thirty days after the election of the initial directors. The time and place of the first meeting of the board shall be designated by the court that heard the petition upon the court's own initiative or upon the petition of any interested person. At its first meeting and after each election of new board members the board shall elect a chair from its members.

3. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and may be reimbursed for actual and necessary expenditures in the performance of duties on behalf of the district.

238.520. 1. Before construction of any project to be merged into the state highways and transportation system, the district shall submit the proposed project, together with the proposed plans and specifications, to the commission for its prior approval of the project. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may approve the project subject to the district making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. Before construction of any project that is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall submit the proposed project, together with proposed plans and specifications, to the local transportation authority for its prior approval. The local transportation authority may approve the project subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

238.522. 1. A district may use sales taxes, tolls, or bonds specifically authorized by sections 238.500 to 238.552 to fund a project.

2. At any time during the existence of the district the board may submit or resubmit a proposed funding method authorized by sections 238.500 to 238.552 for transportation projects to the qualified voters for approval.

3. The district may by contract with the commission agree to send to the commission any revenue received by the district from any funding method authorized by sections 238.500 to 238.552. Such revenue and interest therefrom shall be deposited by the commission pursuant to section 227.180, RSMo, and applied by the commission to project costs, including debt service, on revenue bonds, or refunding bonds issued by the commission.

4. Revenue raised by the regional transportation development district shall provide additional funding for transportation projects and purposes. The commission shall not reduce funding from any source provided to the area covered by the regional transportation development district below the amount received in the fiscal year of the district's organization except when state or federal taxes or fees are reduced, in which case the reduction must not exceed the proportion of the tax or fee reduction. The commission shall increase funding in each fiscal year to the area covered by the regional transportation development district by at least the percent growth in all funding sources. Any and all federal funds designated by federal law, regulation, or appropriation to the area covered by the regional transportation development district must be passed through to the district in full.

5. The district may by contract with a local transportation authority agree to send the local

transportation authority any revenue received by the district. The local transportation authority shall deposit such revenue in a special local trust account. Such revenue and interest therefrom shall be applied by the local transportation authority to project costs.

238.524. 1. Any transportation development district which consists of one or more counties or city not within a county, may by resolution impose a regional transportation development district sales tax on all retail sales made in such regional transportation development district which are subject to taxation pursuant to sections 144.010 to 144.525, RSMo, for any transportation development purpose designated by the regional transportation development district in its ballot of submission to its qualified voters. No resolution enacted pursuant to the authority granted by this section shall be effective unless the board of directors of the regional transportation development district submits to the qualified voters of the regional transportation development district, at a municipal or state general, primary, or special election, a proposal to authorize the board of directors of the transportation development district to impose a sales tax or tolls pursuant to this section.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional transportation development district of ..... (regional transportation development district's name) impose a regional transportation development district-wide sales tax at the rate of (insert amount) for a period of .....(insert number) years from the date on which such tax is first imposed for the purpose funding transportation projects?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the regional transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the regional transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. Within ten days after the adoption of any resolution in favor of the adoption of a regional transportation development district sales tax by the qualified voters of such regional transportation development district, the regional transportation development district shall forward to the director of revenue, by United States registered mail or certified mail, a certified copy of the resolution of its board of directors. The resolution shall reflect the effective date thereof. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of such tax.

4. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together, and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

5. All revenue received by a regional transportation development district from the tax authorized by this section which has been designated for certain transportation purpose, less one percent to pay for the costs of collection deposited by the department of revenue in the state's general revenue fund, shall be deposited by the district in a special local trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to this section or if the tax authorized by this section is repealed pursuant to this section, all funds remaining in the special local trust fund shall continue to be used solely for such designated transportation purposes. Any funds in such special local trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other regional transportation development district funds.

6. The sales tax may be imposed at a rate of up to one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the regional transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to sections 144.010 to 144.525, RSMo, except such regional transportation development district sales tax shall not



apply to the sale or use of motor vehicles, trailers, boats, or outboard motors nor to public utilities. Any regional transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, RSMo, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525, RSMo, and the tax imposed by the resolutions as authorized by this section, plus any amounts imposed pursuant to other provisions of law.

8. (1) All applicable provisions contained in sections 144.010 to 144.525, RSMo, governing the state sales tax, sections 32.085 and 32.087, RSMo, governing local sales taxes, and section 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax imposed in this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to sections 144.010 to 144.525, RSMo, are hereby made applicable to the imposition and collection of the tax imposed in this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525, RSMo, for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the regional transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to this section.

(5) The penalties provided in section 32.057, RSMo, and sections 144.010 to 144.525, RSMo, for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

9. If any regional transportation development district repeals the tax authorized by this section, the regional transportation development district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by this section in such regional transportation development district, the director of revenue shall remit the balance in the account to the regional transportation development district and close the account of that transportation development district. The director of revenue shall notify each regional transportation development district of each instance of any amount refunded or any check redeemed from receipts due the regional transportation development district.

10. (1) No regional transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued or which have been issued by the commission to finance any project or projects.

(2) Whenever the board of directors of any regional transportation development district in which a regional transportation development sales tax has been imposed pursuant to this section receives a petition, signed by ten percent of the qualified voters of such regional transportation development district calling for an

election to repeal such sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued or which have been issued by the commission to finance any project or projects, submit to the voters of such regional transportation development district a proposal to repeal the sales tax imposed pursuant to this section at the next municipal, state general, primary, or special election. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the sales tax, then the resolution imposing the sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the sales tax, then the ordinance or resolution imposing the sales tax, along with any amendments thereto, shall remain in effect.

238.526. 1. If approved by a majority of the qualified voters voting on the question in the district, the district may charge and collect tolls or fees for the use of a transportation project. The board may charge a lower toll rate or fee than that amount approved by the district voters, and may increase that lower toll rate or fee to a level not exceeding the toll or fee rate ceiling without voter approval. Toll rates or fees for the use of the same project may vary at the election of the board, depending upon the type or nature of the user, or the type or nature of the use.

2. The ballot of submission shall be substantially in the following form:

Shall the Regional Transportation Development District be authorized to charge tolls or fees in amounts not to exceed those given below:

Maximum Toll or Fee Toll or Fee Description

(Insert amount) (Insert a brief description of the toll or fee, distinguishing it from other tolls or fees to be charged on the same project)

(Insert amount) (Describe the next toll or fee charged)

(Etc.) (Etc.) for the purpose of providing revenue to fund a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. To construct a toll facility, a district may relocate an existing state highway or bridge, subject to approval by the commission, or an existing local public bridge, street, or road, subject to approval by the local transportation authority having control and jurisdiction over such street or road. A district shall not incorporate an existing free public bridge, street, road, or highway into a district project that will be subject to tolls.

238.528. A district may:

(1) Contract and incur liabilities appropriate to accomplish its purposes;  
 (2) Lease or lease-purchase any real or personal property necessary or convenient for its purposes;  
 (3) Borrow money for its purposes at such rates of interest as the district may determine; and  
 (4) Issue bonds, notes, and other obligations, and may secure any of such obligations by mortgage, pledge, assignment, or deed of trust of any or all of the property and income of the district, subject to the restrictions provided in sections 238.500 to 238.552. The district shall not mortgage, pledge, or give a deed of trust on any real property or interests which it obtained by eminent domain. The district shall not mortgage, pledge, or give a deed of trust on any real property or interests which it acquired from the state of Missouri or any agency or political subdivision thereof without the written consent of the state, agency, or political subdivision from which it obtained the property.

238.530. 1. A district may at any time authorize or issue revenue bonds for the purpose of paying all or any part of the cost of any project. Every issue of such bonds shall be payable out of the revenues of the district and may be further secured by other property of the district which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to

any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of twenty-five years, as the resolution shall specify. Such bonds shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide notwithstanding section 108.170, RSMo. The bonds may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

2. Any issue of district bonds outstanding may be refunded at any time by the district by issuing its refunding bonds in such amount as the district may deem necessary. Such bonds may not exceed the amount sufficient to refund the principal of the bonds so to be refunded together with any unpaid interest thereon and any premiums, commissions, service fees, and other expenses necessary to be paid in connection with the refunding. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the bonds being refunded or by the exchange of the refunding bonds for the bonds being refunded with the consent of the holder or holders of the bonds being refunded. Refunding bonds may be issued regardless of whether the bonds being refunded were issued in connection with the same project or a separate project and regardless of whether the bonds proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

3. If the proposed project is intended to be merged into the state highways and transportation system for future maintenance under the commission's jurisdiction, the district may contract with the commission to assist it in issuing district revenue bonds and refunding bonds. The district may also contract with the commission to issue commission revenue bonds and refunding bonds and to loan the proceeds thereof to the district. Such bonds shall be authorized by commission minute and shall be issued subject to conditions applicable to bonds issued by the district but as determined by the commission rather than the district.

4. Bonds issued pursuant to this section shall exclusively be the responsibility of the district payable solely out of district funds and property provided in sections 238.500 to 238.552 and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Neither the district nor the commission shall be obligated to pay such bonds with any funds other than those specifically pledged to repayment of the bonds. Any bonds issued by a district or the commission shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

5. Bonds issued pursuant to this section, the interest thereon, or any proceeds from such bonds shall be exempt from taxation in the state of Missouri for all purposes except the state estate tax.

238.532. The district may:

- (1) Purchase land or receive contributions of land and cash for project right-of-way;
- (2) Limit and control access from adjacent property to a district project; and
- (3) Sell and convey excess right-of-way for fair market value to any person or entity.

238.534. 1. The district may condemn lands for a project in the name of the state of Missouri as to the necessity for the taking of the description of the parcel and the interest taken in that parcel.

2. If condemnation becomes necessary the district shall act pursuant to chapter 523, RSMo, and may condemn a fee simple or other interest in land.

3. The district may, after prior notice to the owner to enter upon private property, survey and determine the most advantageous route and design. The district shall be liable for all damages done to the property by such inspection.

4. Any person who involuntarily transfers any interest in land to a district which becomes insolvent and comes under the jurisdiction of a court may reacquire that property by paying to the district the total amount of the condemnation award for that parcel, plus statutory interest at the statutory rate from the date of taking on the amount of that award, if the project will not be completed by either the district, the commission, or a local transportation authority.

5. Whenever a district undertakes any project which results in the acquisition of real property or in any person or persons being displaced from their homes, businesses, or farms, the district shall provide relocation assistance and make relocation payments to such displaced person and do such other acts and follow such procedures as would be necessary to comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

**238.536.** The district may contract with:

(1) A federal agency, a state or its agencies and political subdivisions, the commission, a local transportation authority, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity; and

(2) The commission to transfer the project to the commission free of cost or encumbrance on such terms set forth by contract. The commission is authorized to adopt reasonable administrative rules relating to regional transportation development districts under chapter 536, RSMo;

(3) The local transportation authority to transfer the project to the local transportation authority free of cost or encumbrance on such terms set forth by contract.

**238.538.** In addition to all other powers granted by sections 238.500 to 238.552, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors. All contracts in excess of ten thousand dollars between the district and any private person, firm, or corporation shall be competitively bid and shall be awarded to the lowest and best bidder;

(3) To purchase any personal property necessary or convenient for its activities. All outright purchases of personal property in excess of ten thousand dollars between the district and any private person, firm, or corporation shall be competitively bid and shall be awarded to the lowest and best bidder;

(4) To collect and disburse funds for its activities; and

(5) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

**238.540.** 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers, and its employees from any potential liability, and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project to obtain liability insurance having the district, its directors, and its employees as additional named insureds.

3. The district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.

**238.542.** The district may contract with the commission and local transportation authorities to obtain assistance in project funding, promotion, planning, design, right-of-way acquisition, relocation assistance services, construction, preservation, maintenance, and operation. The commission or any local transportation authority may charge the district a reasonable fee, not exceeding the actual cost of providing the service. The commission is authorized to adopt reasonable administrative rules relating to regional transportation development districts pursuant to chapter 536, RSMo. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

**238.544.** The state of Missouri, upon approval by an appropriate act of the general assembly, the commission, or a local transportation authority holding title to real estate, may give, grant, and convey to or for the use of a district such right-of-way or other easement in such real estate as may be necessary for the development of a project.

**238.546.** 1. For the purpose of law enforcement, all district projects to be transferred to the commission shall be treated as commission highways under chapter 43, RSMo, and all projects to be transferred to a local transportation authority shall be treated as streets or roads of that entity.

2. All laws of this state relating to maintaining, signing, damaging, and obstructing roads shall apply to district projects. The duties and powers imposed by such laws on certain officials shall devolve upon the district's engineer or other employee designated by the board. Nothing in this subsection shall be deemed to interfere with, restrict, or limit the authority of the commission to govern and control highway marking, signalization, and signing to the extent the commission is authorized by law.

3. For outdoor advertising and junkyard control purposes, a district project may be designated by the commission as a part of the state primary highway system and by a local transportation authority as a part of

its street or road system.

**238.548.** Unless otherwise approved by contract of the district, project improvements shall not be under the control and jurisdiction of a local transportation authority while the district retains control and jurisdiction over the project. The provisions of chapter 228, RSMo, are inapplicable to transportation development districts.

**238.550.** The state auditor shall audit each district not less than once every three years, and may audit more frequently if the state auditor deems appropriate. The state auditor shall also audit each district before it is abolished. The costs of these audits shall be paid by the district.

**238.552. 1.** At such time as a district has completed its projects and has transferred ownership of the projects to the commission or other local transportation authority for maintenance, or at such time as the board determines that it is unable to complete its projects due to lack of funding or for any other reason, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the ..... Regional Transportation Development District be abolished?

**2.** The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court. Before submitting the question to abolish the district to a vote, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law.

**3.** While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

**4.** Upon receipt of certification by the appropriate election authorities that the majority of those voting within the district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board shall:

(1) Sell any remaining district real or personal property, and then transfer the proceeds and any other real or personal property owned by the district, including revenues due and owing the district, to the commission or any appropriate local transportation authority assuming maintenance and control of the project, for its further use and disposition;

(2) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(3) At a public meeting of the district, declare by a majority vote that the district has been abolished effective that date; and

(4) Cause copies of that resolution under seal to be filed with the secretary of state, the director of revenue, the commission, and with each local transportation authority affected by the district. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Green (73), **House Amendment No. 1** was adopted.

On motion of Representative Barry, **HS HCS HB 1868, as amended**, was adopted.

On motion of Representative Barry, **HS HCS HB 1868, as amended**, was ordered perfected and printed.

**HCS HB 1777**, relating to public order, was placed on the Informal Calendar.

**HB 2160**, relating to police chiefs' and officers' retirement, was taken up by Representative Britt.

Representative Foley offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 2160, Page 3, Section 86.958, Lines 4 to 6, by deleting all of said lines and inserting in lieu thereof the following:

**"members of the Missouri Police Chiefs' Association, one of the remaining two directors shall be an appointed full-time municipal police officer who is a member of the state fraternal order of police, and the other director shall be an appointed full-time municipal police officer who is a member of any organization representing rank and file police officers. The three police chief officers shall be elected by a secret ballot vote of the"; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Foley, **House Amendment No. 1** was adopted.

Speaker Pro Tem Abel resumed the Chair.

**HB 2160, as amended**, was placed on the Informal Calendar.

**PERFECTION OF HOUSE BILL - INFORMAL**

**HCS HB 1777**, relating to public order, was taken up by Representative Johnson (61).

Representative Smith offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1777, Page 9, Section 578.008, Line 10, by inserting immediately after said line the following:

“610.021 Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public within seventy- two hours after execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body must be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice

of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

- (4) The state militia or national guard or any part thereof;
- (5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;
- (6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;
- (7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;
- (8) Welfare cases of identifiable individuals;
- (9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;
- (10) Software codes for electronic data processing and documentation thereof;
- (11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;
- (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;
- (13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such;
- (14) Records which are protected from disclosure by law;
- (15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;
- (16) Records relating to municipal hot lines established for the reporting of abuse and wrongdoing;
- (17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; [and]
- (18) [In preparation for and implementation of electric restructuring, a municipal electric utility may close that portion of its financial records and business plans which contains information regarding the name of the suppliers of services to said utility and the cost of such services, and the records and business plans concerning the municipal electric utility's future marketing and service expansion areas. However, this exception shall not be construed to limit access to other records of a municipal electric utility, including but not limited to the names and addresses of its business and residential customers, its financial reports, including but not limited to its budget, annual reports and other financial statements prepared in the course of business, and other records maintained in the course of doing business as a municipal electric utility. This exception shall become null and void if the state of Missouri fails to implement by December 31, 2001, electric restructuring through the adoption of statutes permitting the same in this state.] **Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, the public disclosure of which would threaten public safety. Records related to the procurement of or expenditures relating to security systems shall be open except to the extent provided in this section. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of records. This exception shall sunset on December 31, 2006;**
- (19) **Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network, of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network, shall be open except to the extent provided in this section; and**

(20) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body.” and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Smith, **House Amendment No. 1** was adopted.

Representative Bearden offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1777, Page 5, Section 407.762, Line 23, by inserting the following:

“No person may initiate the transmission, conspire with another to initiate the transmission, or assist the transmission of a commercial electronic mail message from a computer located in Missouri or to an electronic mail address that the sender knows, or has reason to know, is held by a Missouri resident that:

(1) Uses a third-party's Internet domain name without permission of the third party, or otherwise misrepresents or obscures any information in identifying the point of origin or the transmission path of a commercial electronic mail message; or

(2) Contains false or misleading information in the subject line.

2. For purposes of this section, a person knows that the intended recipient of a commercial electronic mail message is a Missouri resident if that information is available, upon request, from the registrant of the Internet domain name contained in the recipient's electronic mail address.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bearden, **House Amendment No. 2** was adopted.

Representative Britt assumed the Chair.

Representative Legan offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1777, Page 4, Section 407.472, Lines 4 to 5 of said page, by striking the words “**an unlawful purpose**” on said line and inserting in lieu thereof the following:

“**any purpose in violation of this chapter, or section 573.080, RSMo**”; and

Further amend said page and section, Line 13, by striking the words “**an unlawful purpose**” on said line and inserting in lieu thereof the following:

“**any purpose in violation of this chapter or section 573.080, RSMo**”.

On motion of Representative Legan, **House Amendment No. 3** was adopted.



Representative Dolan offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1777, Page 4, Section 407.760, Line 1, by striking the numeral "407.764" and inserting in lieu thereof the numeral "**407.762**"; and

Further amend Line 4 by inserting after the word "actual" the following: "**but not threatened**"; and

Further amend Line 7 by inserting immediately after the word "disaster" the following:

**"by Executive Order. The Executive Order must be dated, must state the cause of the consumer market disruption and the date and time of the onset of the cause, and must include the duration of the Executive Order which shall in all cases be reasonable in length."**

Representative O'Toole offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1777, Page 4, Section 407.760, Line 4, by inserting after the word "**actual**" the following: "**or threatened**"; and

Further amend said bill, Page 4, Section 407.760, Line 5, by inserting after the word "**nature,**" the following: "**failure or shortage of electric power or other source of energy,**"; and

Further amend said bill, Page 4, Section 407.760, Line 6, by inserting after the words "**declared as a**" the following: "**national or**"; and

Further amend said bill, Page 5, Section 407.760, Line 22, by deleting the words "**Only the**" and inserting in lieu thereof the word "**The**"; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative O'Toole, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted by the following vote:

AYES: 066

Abel	Barnitz	Bartelsmeyer	Berkowitz	Bonner
Boucher	Bowman	Boykins	Bray 84	Campbell
Carnahan	Clayton	Copenhaver	Crump	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Green 73	Hagan-Harrell	Hampton
Harding	Haywood	Hickey	Hilgemann	Holt
Hoppe	Hosmer	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Lawson	Liese	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Reid	Relford

Rizzo	Seigfreid	Shoemyer	Smith	Thompson
Treadway	Villa	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 060

Ballard	Bartle	Bearden	Behnen	Berkstresser
Black	Boatright	Burton	Byrd	Champion
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Fares	Froelker	Gaskill	Gratz
Griesheimer	Hanaway	Hartzler	Hegeman	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Linton	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Myers	Naeger	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Richardson	Roark
Robirds	Ross	Schwab	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel

PRESENT: 000

ABSENT WITH LEAVE: 036

Baker	Barnett	Barry 100	Bland	Britt
Brooks	Burcham	Cierpiot	Curls	Enz
Graham	Green 15	Harlan	Henderson	Hendrickson
Holand	Hollingsworth	Johnson 61	Koller	Lograsso
Lowe	Luetkenhaus	Murphy	Nordwald	Reinhart
Reynolds	Ridgeway	Scheve	Scott	Selby
Shelton	Skaggs	Troupe	Van Zandt	Walker
Wright				

VACANCIES: 001

## Representative Cunningham offered **House Amendment No. 5.**

### *House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1777, Page 5, Section 407.762, Line 23, by inserting after all of said line the following:

"407.1095. As used in sections 407.1095 to 407.1110, the following words and phrases mean:

(1) "Caller identification service", a type of telephone service which permits telephone subscribers to see the telephone number of incoming telephone calls;

(2) "Residential subscriber", a person who has subscribed to residential telephone service from a local exchange company or the other persons living or residing with such person;

(3) "Telephone solicitation", any voice communication over a telephone line from a live operator, through the use of ADAD equipment or by other means, **or any communication via facsimile or electronic mail** for the purpose of encouraging the purchase or rental of, or investment in, property, goods or services, but does not include communications:

(a) To any residential subscriber with that subscriber's prior express invitation or permission;

(b) By or on behalf of any person or entity with whom a residential subscriber has had a business contact within the past one hundred eighty days or a current business or personal relationship;

(c) By or on behalf of an entity organized pursuant to Chapter 501(c)(3) of the United States Internal Revenue Code, while such entity is engaged in fund-raising to support the charitable purpose for which the entity was established

provided that a bona fide member of such exempt organization makes the voice **or computer** communication;

(d) By or on behalf of any entity over which a federal agency has regulatory authority to the extent that:

a. Subject to such authority, the entity is required to maintain a license, permit or certificate to sell or provide the merchandise being offered through telemarketing; and

b. The entity is required by law or rule to develop and maintain a no-call list;

(e) By a natural person responding to a referral, or working from his or her primary residence, or a person licensed by the state of Missouri to carry out a trade, occupation or profession who is setting or attempting to set an appointment for actions relating to that licensed trade, occupation or profession within the state or counties contiguous to the state, **with such appointment made in response to a contact that was initiated by a customer.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cunningham, **House Amendment No. 5** was adopted.

**HCS HB 1777, as amended**, was laid over.

On motion of Representative Crump, the House recessed until 2:00 p.m.

#### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

#### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1704

and

House Resolution No. 1705 - Representative Ross

House Resolution No. 1706 - Representative Graham

House Resolution No. 1707 - Representatives Villa and Murphy

House Resolution No. 1708 - Representative King

House Resolution No. 1709 - Representative Gratz

House Resolution No. 1710

through

House Resolution No. 1712 - Representative Townley

House Resolution No. 1713

and

House Resolution No. 1714 - Representative Koller

House Resolution No. 1715 - Representative Burton, et al

House Resolution No. 1716 - Representative Shoemyer (9)

House Resolution No. 1717 - Representative Griesheimer

## COMMITTEE REPORTS

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS HB 1650 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## PERFECTION OF HOUSE BILL - INFORMAL

**HCS HB 1777, as amended**, relating to public order, was again taken up by Representative Johnson (61).

Representative Reid offered **House Amendment No. 6**.

### *House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1777 by inserting at the appropriate location the following section:

"38.050. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on Terrorism, Bioterrorism, and Homeland Security" to be composed of seven members of the senate and seven members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and minority floor leader of the senate and the house members shall be appointed by the speaker and minority floor leader of the house of representatives. The appointment of each member shall continue during the member's term of office as a member of the general assembly or until a successor has been appointed to fill the member's place when his or her term of office as a member of the general assembly has expired. No party shall be represented by more than four members from the house of representatives nor more than four members from the senate. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

2. The joint committee shall:

(1) Make a continuing study and analysis of all state government terrorism, bioterrorism, and homeland security efforts;

(2) Devise a standard reporting system to obtain data on each state government agency that will provide information on each agency's terrorism and bioterrorism preparedness, and homeland security status at least biennially;

(3) Determine from its study and analysis the need for changes in statutory law; and

(4) Make any other recommendation to the general assembly necessary to provide adequate terrorism and bioterrorism protections, and homeland security to the citizens of the state of Missouri.

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. The chairperson shall alternate between members of the house and senate every two years after the committee's organization.

4. The committee shall meet at least quarterly. The committee may meet at locations other than Jefferson City when the committee deems it necessary.

5. The committee shall be staffed by legislative personnel as is deemed necessary to assist the committee in the performance of its duties.

6. The members of the committee shall serve without compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.

7. It shall be the duty of the committee to compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than the fifteenth of January of each year in which the general assembly convenes in regular session and shall include any recommendations which the committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state or local government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state or local government agencies or departments included in the report.

8. The provisions of this section shall expire on December 31, 2007."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Reid, **House Amendment No. 6** was adopted.

Representative Byrd offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1777, Page 4, Section 407.760, Line 1, by striking the phrase "to 407.764".

On motion of Representative Byrd, **House Amendment No. 7** was adopted.

On motion of Representative Johnson (61), **HCS HB 1777, as amended**, was adopted.

On motion of Representative Johnson (61), **HCS HB 1777, as amended**, was ordered perfected and printed.

**PERFECTION OF HOUSE BILL**

**HB 1988**, relating to the official state horse, was taken up by Representative Kelly (144).

On motion of Representative Kelly (144), **HB 1988** was ordered perfected and printed.

Representative Ransdall assumed the Chair.

**THIRD READING OF HOUSE JOINT RESOLUTION**

**HCS HJR 47**, relating to joint municipal utility commissions, was taken up by Representative Willoughby.

On motion of Representative Willoughby, **HCS HJR 47** was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 011

Baker	Boykins	Curls	Green 15	Harlan
Hunter	Jetton	Lograsso	O'Toole	Reynolds
Skaggs				

VACANCIES: 001

Representative Ransdall declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HB 1726**, relating to discipline in public schools, was taken up by Representative Walton.

Representative Walton offered **House Perfecting Amendment No. 1**.

*House Perfecting Amendment No. 1*

AMEND House Bill No. 1726, Page 4, Section 160.261, Line 106, by deleting the word “**Education**” and inserting in lieu thereof the word “**Educational**”; and

Further amend said bill, Page 4, Section 160.261, Line 107, by inserting after the word “**Disabilities**” the word “**Education**”; and

Further amend said bill, Page 6, Section 160.261, Line 189, by deleting the word “**a**” immediately in front of the word “**discipline**”; and

Further amend said bill, Page 7, Section 160.730, Line 17, by deleting the word “**which**” and inserting in lieu thereof the words “**for which a**”; and

Further amend said bill, Page 8, Section 160.730, Line 38, by inserting immediately after the word “**This**” the following: “**section of this**”.

On motion of Representative Walton, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Walton, **HB 1726, as amended**, was read the third time and passed by the following vote:

AYES: 113

Abel	Barnitz	Barry 100	Bartelsmeyer	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Champion	Clayton	Copenhaver	Crump
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Koller	Lawson	Liese	Lowe	Luetkenhaus
Marsh	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Portwood	Quinn	Ransdall	Reid	Relford
Rizzo	Ross	Scheve	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 044

Ballard	Barnett	Bartle	Bearden	Behnen
Berkstresser	Boatright	Burcham	Burton	Byrd
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Hanaway	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelly 144	Legan	Linton	Long

Luetkemeyer	Marble	May 149	Miller	Naeger
Phillips	Purgason	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Schwab	Scott
Secrest	Surface	Townley	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Curls	Harlan	Lograsso	Reynolds
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VACANCIES: 001

Representative Ransdall declared the bill passed.

**HCS HB 1216**, relating to suicide prevention, was taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **HCS HB 1216** was read the third time and passed by the following vote:

AYES: 146

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				



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NOES: 007

Ballard	Cunningham	Hohulin	Linton	Miller
Purgason	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Berkstresser	Curls	Franklin	Harlan
Hosmer	Lograsso	Reynolds	Williams	

VACANCIES: 001

Representative Ransdall declared the bill passed.

**HB 1350**, relating to community improvement districts, was taken up by Representative Liese.

On motion of Representative Liese, **HB 1350** was read the third time and passed by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Townley

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Berkstresser	Curls	Green 15	Green 73
Harlan	Lograsso	Reynolds		

VACANCIES: 001

Representative Ransdall declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 010

Burcham	Cooper	Crowell	Froelker	Hendrickson
Hohulin	Hunter	Murphy	Rector	Roark

PRESENT: 000

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ABSENT WITH LEAVE: 009

Baker	Berkstresser	Curls	Green 15	Green 73
Harlan	Lograsso	Lowe	Reynolds	

VACANCIES: 001

Representative Villa assumed the Chair.

**HCS HB 1656**, relating to sexual offenses, was taken up by Representative Wright.

On motion of Representative Wright, **HCS HB 1656** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Boatright	Bonner	Boucher	Boykins
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walton	Ward	Whorton
Willoughby	Wright	Mr. Speaker		

NOES: 012

Bland	Bowman	Bray 84	Brooks	Daus
Fraser	Johnson 61	Troupe	Van Zandt	Walker
Wilson 25	Wilson 42			

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Berkstresser	Curls	Green 73	Harlan
Reynolds	Williams			

VACANCIES: 001

Representative Villa declared the bill passed.

**HB 1627**, relating to building regulations, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 1627** was read the third time and passed by the following vote:

AYES: 098

Abel	Baker	Barnitz	Barry 100	Bearden
Berkowitz	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Champion	Clayton	Copenhaver	Crump
Cunningham	Daus	Davis	Dolan	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	Koller
Legan	Liese	Long	Lowe	Marsh
Mays 50	McKenna	Merideth	Monaco	Murphy
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Reid	Relford	Richardson	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 058

Ballard	Barnett	Bartelsmeyer	Bartle	Behnen
Black	Boatright	Burcham	Burton	Byrd
Cierpiot	Cooper	Crawford	Crowell	Dempsey
Enz	Fares	Froelker	Gaskill	Griesheimer
Hartzler	Henderson	Hohulin	Hunter	Jetton
Kelly 144	King	Lawson	Linton	Lograsso
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Miller	Moore	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shoemaker
Surface	Townley	Troupe		

PRESENT: 000

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ABSENT WITH LEAVE: 006

Berkstresser	Curls	Green 73	Harlan	Reynolds
Van Zandt				

VACANCIES: 001

Representative Villa declared the bill passed.

**HS HCS HB 1936**, relating to agricluture, was taken up by Representative Shoemyer (9).

Representative Shoemyer (9) moved that **HS HCS HB 1936** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 072

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Daus	Farnen	Foley
Franklin	Fraser	George	Graham	Hagan-Harrell
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 36	Koller	Liese
Lowe	Mays 50	McKenna	Monaco	O'Connor
O'Toole	Overschmidt	Paone	Ransdall	Relford
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 085

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Davis	Dempsey
Dolan	Enz	Fares	Froelker	Gambaro
Gaskill	Gratz	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Holt	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 27	King	Lawson	Legan
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	Skaggs
St. Onge	Surface	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser                      Curls                                      Green 15                                      Green 73                                      Reynolds

VACANCIES: 001

Representative Shields requested a verification of the roll call on the motion to adopt **HS HCS HB 1936**.

Representative Foley raised a point of order that a verification of the roll call on the motion to adopt **HS HCS HB 1936** is not timely.

Representative Villa requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

**HS HCS HB 1650**, relating to water pollution control bonds, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS HCS HB 1650** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Boatright	Bonner	Boucher	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Gratz	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

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NOES: 003

Hohulin	Murphy	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Berkstresser	Bland	Bowman	Curls
Graham	Green 15	Green 73	Harlan	Hickey
Hunter	Kelley 47	Ostmann	Reynolds	Shelton
Williams				

VACANCIES: 001

Representative Villa declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambara
Gaskill	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Nordwald	O'Connor	O'Toole	Overschmidt	Paone
Phillips	Purgason	Quinn	Ransdall	Reid
Reinhart	Richardson	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 009

Froelker	Hegeman	Hendrickson	Hohulin	Murphy
Portwood	Rector	Ridgeway	Troupe	

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Berkstresser	Curls	Graham	Green 73
Harlan	Hunter	Johnson 90	Kelley 47	Liese
Lograsso	May 149	Naeger	Ostmann	Relford
Reynolds	Scheve	Shelton	Shoemaker	Williams

VACANCIES: 001

**HS HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700**, relating to tampering with pharmaceuticals, was taken up by Representative Britt.

On motion of Representative Britt, **HS HCS HBs 1577, 1760, 1433, 1430, 1029 & 1700** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Daus	Davis
Dempsey	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	George
Griesheimer	Hagan-Harrell	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Troupe

PRESENT: 000



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ABSENT WITH LEAVE: 018

Baker	Berkstresser	Crump	Curls	Dolan
Gaskill	Graham	Gratz	Green 15	Green 73
Hampton	Harlan	Johnson 90	Kelley 47	Liese
Reynolds	Richardson	Shelton		

VACANCIES: 001

Representative Villa declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Berkstresser	Curls	Dolan	Gaskill
Graham	Gratz	Harlan	Johnson 90	Kelley 47
Liese	Naeger	Portwood	Purgason	Reynolds
Richardson	Shelton			

VACANCIES: 001

### THIRD READING OF SENATE BILL

**SB 1220**, relating to the Gaming Commission, was taken up by Representative O'Toole.

Representative O'Toole offered **HS SB 1220**.

Representative Froelker requested a division of the question on **HS SB 1220**.

Representative O'Toole raised a point of order that the motion to divide **HS SB 1220** is not a proper division pursuant to Rule 78.

Representative Villa requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative O'Toole, **Part I of HS SB 1220** was adopted.

Representative Crump offered **House Amendment No. 1 to Part II**.

*House Amendment No. 1  
to  
Part II*

AMEND Part II of House Substitute for Senate Bill No. 1220 by inserting in the appropriate locations the following sections:

"313.500. As used in sections 313.500 to [313.710] **313.720**, unless the context clearly indicates that a different meaning is intended, the following terms mean:

(1) **"Applicant"**, any person applying for a license to be granted by the commission. If the applicant is a corporation, partnership or other person as that term is defined in section 351.015, RSMo, the term includes the officers and directors of the corporation or the general partners of a partnership or person performing similar functions for any business applying for such a license;

[(1)] (2) **"Breakage"**, the odd cents by which the amount payable on each dollar wagered exceeds a multiple of ten cents, **or such other amount as set by the commission**;

[(2)] (3) **"Commission"**, the Missouri [gaming] **horse racing** commission, [created in section 313.004,] or its designate;

(4) **"Commission on wagers"**, an amount retained and not returned to patrons by a licensee from the total amount of pari-mutuel wagers;

(5) **"Common pari-mutuel pool"**, a pool consisting of the pari-mutuel wagers on a race placed and

**accepted at a racetrack or other facility outside the state where pari-mutuel wagers are permitted;**

[(3)] (6) "County", any county in the state of Missouri or the city of St. Louis;

[(4)] (7) "Horse", any equine, ass, mule, pony, or hybrid thereof;

[(5)] "Organization", any individual, political subdivision, state agency, partnership, unincorporated association, firm, or corporation licensed by the commission to conduct a horse racing meeting;]

(8) **"Licensee", any individual, partnership, corporation, unincorporated association, firm, or other business organization licensed by the commission to conduct a race meeting and pari-mutuel wagering. If the licensee is a corporation, partnership or other person as that term is defined in section 351.015, RSMo, the term includes the officers and directors of the corporation or the general partners of the partnership or person performing similar functions for any business that holds a license;**

(9) **"Missouri bred horse", any equine which was foaled within this state;**

(10) **"Occupational licensee", any person licensed by the commission to perform an occupation associated with racing, simulcasting or pari-mutuel wagering, which the commission has identified as requiring a license;**

[(6)] (11) "Pari-mutuel wagering", a form of wagering on the outcome of [horse] races in which those who [wager purchase tickets] **participate place wagers** of various denominations on a horse or horses in one or more races, all wagers are pooled, and when the outcome of the race has been declared official, the total wagers comprising each pool, less such amounts provided herein or which are provided by law or rule, will be distributed to holders of winning tickets on the [winning] horse or horses;

(12) **"Pari-mutuel system", a computerized system or component of a system that is used to transmit wagering data to and from a racetrack which participates in common pari-mutuel pools;**

[(7)] (13) "Public official", any elected member of the executive branch of state government and any director of a state department, any judge other than a judge of the municipal division of a circuit court, and any elected member of the legislative branch of state government;

(14) **"Race" or "racing", any type of horse race or horse racing;**

[(8)] "Race meet" or] (15) "Race meeting", [the whole period of time, whether consecutive dates or those instances where nonconsecutive dates are granted, for which a racetrack license to race has been granted to any one organization by the commission;

(9) "Racing", any type of horse racing.] **the activities conducted at a race meeting grounds including live or simulcast races, all as licensed by the commission, on any given date or series of dates;**

(16) **"Race meeting grounds", a racetrack licensed by the commission and the surrounding structures and property under control of a licensee;**

(17) **"Simulcast", the audio and visual transmission of a live, realtime race, or series of races, provided in any manner approved by the commission;**

(18) **"Steward", a person designated by the commission to monitor race meetings to ensure compliance with sections 313.500 to 313.720 and regulations promulgated thereunder;**

(19) **"Stockholder", record owners of any class of stock and beneficial owners of any kind specified in subsection 4 of section 313.600, that constitute five percent or more of the licensee's stock or units of ownership. Notwithstanding the preceding sentence, in the event the licensee is a subsidiary of a public company, the term "stockholder" shall mean record owners of five percent or more of the licensee's stock or units of ownership, and beneficial owners who have the practical ability to control the management of a licensee. For purposes of this subdivision, "public company" shall mean any company whose stock is traded on the New York Stock Exchange, the Nasdaq National Market or any similar security exchange.**

313.510. 1. There is hereby created the "Missouri Horse Racing Commission", which shall consist of five members appointed by the governor with the advice and consent of the senate. **Members of the commission shall be citizens and eligible voters of this state and shall not have been convicted of a felony. Not more than three members shall be affiliated with the same political party and not more than one member may be a resident of any one congressional district or of any single county or of the City of St. Louis. At least two of said members shall be horsemen as such term is commonly understood in the industry. Of the members first appointed, one shall be appointed for a one-year term, one shall be appointed for a two-year term, one shall be appointed for a three-year term, one shall be appointed for a four-year term, and one shall be appointed for a five-year term; and thereafter members shall be appointed for terms of five years. A minimum of twenty-five percent of all commissioners appointed shall be minorities. The governor shall designate one of the members to be chairman. The commission shall oversee the development and administration of the pari-mutuel horse racing industry in Missouri. The commission shall be assigned to the [Missouri gaming commission] **department of public safety.****

2. The governor shall designate one of the members as the chair.

3. The governor may remove any member of the commission from office for malfeasance or neglect of duty in office.

4. In the event of a vacancy on the commission due to the removal, resignation or death of a commission member, the governor shall appoint an interim commissioner to serve the remainder of the unexpired term.

5. The commission shall perform all duties and have all the powers and responsibilities conferred and imposed on it pursuant to sections 313.500 to 313.720, related to horse racing and pari-mutuel wagering.

313.520. 1. [The horse racing commission shall not hire any person to be an employee of the commission.] Subject to appropriations, the commission may hire an executive director and such employees as it may deem necessary to carry out the commission's duties. A minimum of twenty-five percent of employees hired by the commission shall be minorities. The commission shall have authority to require investigations of any employee or applicant for employment as deemed necessary and use such information or any other information in determination of employment. The commission shall promulgate rules and regulations establishing a code of ethics for its employees that shall include, but not be limited to, restrictions on which employees shall be prohibited from participating in or wagering on any race subject to the jurisdiction of the commission or from placing wagers subject to the jurisdiction of the commission. The commission shall determine if any employees of the commission or any licensee shall be subject to any restrictions on their ability to participate in any race meeting or wager at any racetrack under the jurisdiction of the commission.

2. The duties of the executive director of the [gaming] commission[, in addition to all other duties prescribed by law,] shall include the following:

(1) Taking and preserving records of all proceedings before the commission, maintaining its books, documents, and records, and making them available for public inspection;

(2) If so designated by the commission, acting as a hearing officer in hearings;

(3) Acting as the commission's chief personnel officer and supervising the employment, conduct, duties, and discipline of commission employees; and

(4) Performing other duties as directed by the commission.

3. Except as provided in subdivision [(7)] (5) of section 313.560, the officials at any race meeting, [as this term is customarily understood in racing,] including by way of enumeration only and not in limitation, placing judges, patrol judges, clerks of the scales, starters and assistants, handicapper, timer, paddock judge, veterinarians, racing secretary, and clerk of the course shall be paid by the racetrack licensee.

313.530. [Except as provided in section 313.620, all revenues derived or generated from the licensing of racetracks and] 1. **Other than revenues designated for the Missouri breeders fund pursuant to sections 313.652, 313.655 and 313.720, all revenues derived or generated from the licensing fees, racetracks, civil or administrative penalties, laboratory testing services fees, the authorization of race meetings, races [under] and wagering pursuant to sections 313.500 to [313.710] 313.720, and all moneys received by the state[, and the commission [or the director of revenue] from pari-mutuel wagering pools shall be [deposited by] transmitted to the director of revenue for deposit in the state treasury to be held in a special account to be known as the "Missouri Horse Racing Fund". Interest earned on the Missouri horse racing fund shall be credited to that fund. The money in the Missouri horse racing fund shall be deposited in the state treasury and invested by the state treasurer[, subject to appropriation as provided by the constitution and laws enacted pursuant thereto]. The Missouri horse racing fund shall be used to pay the expenses of the commission to the extent that it is sufficient to satisfy the commission's obligations.**

2. **Any surplus remaining in the Missouri horse racing fund at the end of a fiscal year shall be deposited in the state treasury to the credit of the state schools moneys fund. Moneys deposited in this fund pursuant to this section shall be considered the proceeds of racing and state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the horse racing proceeds shall be credited to state schools moneys fund.**

313.540. 1. The commission shall have powers to [prescribe] **promulgate** and enforce rules and regulations governing [horse] races, [and] race meetings **and pari-mutuel wagering**. Such rules and regulations shall contain criteria to be used by the commission for decisions on approving and revoking [racetrack] licenses and **for** setting racing dates. The commission may delegate to **its employees or to** the stewards such of the commission's powers and duties as may be necessary to carry out and effectuate the purposes of sections 313.500 to [313.710] **313.720**. Any decision or action of such **employees or** stewards may be appealed to the commission or may be reviewed by the commission on its own initiative.

2. **Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under**

**the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.**

313.550. 1. The commission may issue subpoenas for the attendance of witnesses or the production of any records, books, memoranda, documents, or other papers or things, to enable [any of them] **it** to effectually discharge its [or his] duties, and may administer oaths or affirmations as necessary in connection therewith. In addition, the commission shall have the authority to issue subpoenas [under] **pursuant to** section 536.077, RSMo, in contested cases.

2. Any person subpoenaed who fails to appear at the time and place specified in answer to the subpoena and to bring any papers or things specified in the subpoena, or who upon such appearance, refuses to testify or produce such records or things, upon conviction, is guilty of a class A misdemeanor.

3. Any person who testifies falsely under oath in any proceeding before, or any investigation by, the commission, its [secretary] **employees**, or the stewards, upon conviction, shall be guilty of a class D felony **and a class C felony for second and subsequent violations.**

313.560. The commission shall have all powers necessary and proper to fully and effectively execute the provisions of sections 313.500 to [313.710] **313.720** including, but not limited to, the following:

(1) The provisions of chapter 34, RSMo, to the contrary notwithstanding, the executive director, pursuant to rules and regulations issued by the commission, may directly purchase or lease such goods or services as are necessary for effectuating the purposes of sections 313.500 to [313.710] **313.720**, provided however, that the board of public buildings shall provide the principal office space for the commission's staff. Contracts shall be awarded on the basis of lowest and best bid. The executive director shall use state purchasing procedures except for professional services or emergency purchases [necessary for the race meet] authorized pursuant to section 34.100, RSMo. No contract awarded or entered into by the executive director may be assigned by the holder thereof except with specific approval of the commission;

(2) [The commission is vested with the power to enter without a search warrant the office, horse racetrack, facilities, other places of business, residences, tack rooms, vehicles and any other premises under the control of any licensee on the grounds of a licensed association at all reasonable hours to determine whether there has been compliance with the provisions of sections 313.500 to 313.710 and rules and regulations promulgated thereunder, and to discover any contraband as described in chapter 195, RSMo, or in rules promulgated pursuant to sections 313.500 to 313.710;

(3)] The commission is vested with the authority to investigate alleged violations of the provisions of sections 313.500 to [313.710] **313.720**, its reasonable rules and regulations, orders and final decisions; [the commission shall take appropriate disciplinary action, including suspension or revocation of the license, against any racetrack licensee or occupation licensee for violation thereof or institute appropriate legal action for the enforcement thereof pursuant to subdivision (10) of this section;

(4)] **(3)** The commission may eject or exclude from any race meeting [or licensee] grounds [or any part thereof, any occupation licensee or], any [other] individual whose conduct or reputation is such that his **or her** presence [on licensee grounds] may, in the opinion of the commission, call into question the honesty and integrity of [horse] racing or interfere with the orderly conduct of [horse] racing **or pari-mutuel wagering**; provided, however, that no person shall be excluded or ejected [from licensee grounds] on the grounds of race, color, creed, national origin, ancestry, or sex. The commission shall by rule provide for an expedited hearing for any occupation licensee excluded pursuant to this subsection;

[(5)] **(4)** The commission is vested with the power to acquire, establish, maintain and operate, or provide by contract testing laboratories and related facilities, for the purpose of conducting saliva, blood, urine and other tests on the horses run or to be run in any race meeting and to lease or purchase all equipment and supplies deemed necessary or desirable in connection with any such testing laboratories and related facilities and all such tests. The commission shall explore the feasibility of establishing such a testing facility at and in conjunction with the University of Missouri, College of Veterinary Medicine. The racetrack licensee shall on a per sample basis pay a fee as determined by the commission for such laboratory testing services;

[(6) The commission may require that the records, including financial or other statements of any racetrack licensee under sections 313.500 to 313.710, shall be kept in such manner as prescribed by the commission and that any racetrack licensee submit to the commission on or before March fifteenth of each year, for the preceding fiscal year of the licensee an annual audited balance sheet and profit and loss statement and any other information the commission

deems necessary in order to effectively administer sections 313.500 to 313.710 and all rules, regulations, orders and final decisions promulgated under sections 313.500 to 313.710. The fiscal year for any licensee shall be the calendar year;

(7)] (5) The commission shall require that there shall be three stewards at each horse race meeting, who shall be appointed by the commission **and unless directed by the commission, at least one steward shall be certified by the Association of Racing Commissioners International or equivalent organization.** They shall be paid for by the state and shall be considered state employees for all purposes. Stewards appointed by the commission, while performing duties required by sections 313.500 to [313.710] **313.720** or by the commission, shall be entitled to the same rights and immunities as granted to commission members and employees [under] **pursuant to** section 313.570;

[(8)] (6) The commission is vested with the power to impose civil penalties of up to five thousand dollars against [individuals] **occupational licensees** and up to ten thousand dollars against [organizations] **licensees** for each violation of any provision of sections 313.500 to [313.710] **313.720**, any rules adopted by the commission, any lawful order of the commission or any other action which, in the commission's discretion, is found to be a detriment or impediment to [horse] racing **or pari-mutuel wagering.** Such penalties, when recovered, shall be paid into the Missouri horse racing fund. Any civil penalties so imposed shall be sued for by the attorney general in the name of the state;

[(9)] (7) The commission may request that the attorney general make investigations, on behalf of and in the name of the commission, and bring suits or institute proceedings for any of the purposes necessary and proper for carrying out the functions of the commission;

[(10)] (8) The commission may request that the Missouri state highway patrol investigate or participate in such matters as it deems necessary. The Missouri state highway patrol shall have authority to investigate the commission relative to the operation and administration of sections 262.260 to 262.270, RSMo, and 313.500 to [313.710] **313.720**, and to report suspected violations of state law or federal law by the commission to the proper prosecuting authorities. In the event that a violation of state law is reported to the proper prosecuting authority and no prosecution is commenced within thirty days for alleged violations, the attorney general shall have authority to commence prosecution for alleged violations of sections 262.260 to 262.270, RSMo, and 313.500 to [313.710] **313.720** or other criminal statutes alleged to have been violated. The cost of personnel and related expenses in the Missouri state highway patrol, including the division of drug and crime control, to accomplish the purposes of this section shall be paid within the limits of appropriations from general revenue, or from such other funding as may be authorized by the general assembly.

**313.561. In addition to the powers granted to the commission in section 313.560, the commission shall have the following powers and duties relating to applicants and licensees:**

(1) To investigate the qualifications of each applicant pursuant to sections 313.500 to 313.720 before any license is issued and to continue to observe the conduct of all licensees and other persons having a material involvement directly or indirectly with the licensee;

(2) To deny any application or limit, condition, restrict, revoke, or suspend a license of any person for any cause deemed reasonable by the commission. Any person aggrieved by any action of the commission authorized in this subdivision may appeal such action to the appropriate circuit court;

(3) To adopt standards for the conduct of pari-mutuel wagering on the race meeting grounds, except that the commission shall not permit a licensee to accept pari-mutuel wagers unless its facility on the race meeting grounds:

(a) Is designed to seat patrons comfortably, with multiple screens to enable each patron to view simulcast races;

(b) Is suitable for licensing by the division of liquor control; and

(c) Has food and beverage services available at all hours the facility is open to the public for race meetings;

(4) To require a licensee to remove any person from the race meeting grounds facility if such person violates any provision of sections 313.500 to 313.720 or any rule or regulation promulgated thereunder or if such person engages in fraudulent practices;

(5) To enter without a search warrant the office, race meeting grounds, other places of business, tack rooms, vehicles, and any other premises under the control of any licensee at all reasonable hours to determine whether there has been compliance with the provisions of sections 313.500 to 313.720 and the rules and regulations promulgated thereunder, and to discover any substance or item regulated in chapter 195, RSMo, or by rules and regulations promulgated pursuant to sections 313.500 to 313.720;

(6) To require that the records, including financial or other statements of any licensee pursuant to sections 313.500 to 313.720, shall be kept in such manner as prescribed by the commission and that any licensee

submit to the commission on or before a date certain each year established by the commission, for the preceding fiscal year of the licensee an annual audited balance sheet and profit-and-loss statement and any other information the commission deems necessary in order to effectively administer sections 313.500 to 313.720 and all rules, regulations, orders, and final decisions promulgated pursuant to sections 313.500 to 313.720. The fiscal year for any licensee shall be the calendar year; and

(7) The commission may levy administrative penalties of up to two thousand dollars per day against a licensee who violates the provisions of sections 313.500 to 313.720 or any rule or regulation promulgated thereunder.

**313.562.** A holder of any license shall be subject to impositions of penalties, suspension or revocation of such license, or other action for any act or failure to act by such person or such person's agents or employees, that is injurious to the public health, safety, morals, good order, and general welfare of the people of this state or that would discredit or tend to discredit the Missouri horse racing industry or this state unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this section, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provisions for compliance with sections 313.500 to 313.720, the rules and regulations of the commission or any federal, state, or local law or regulation;

(2) Failing to comply with any rule, order, or ruling of the commission or its agents pertaining to horse racing or pari-mutuel wagering;

(3) Being suspended or ruled ineligible or having a license associated with horse racing revoked or suspended in any state or jurisdiction;

(4) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and who would adversely affect public confidence and trust in horse racing or pari-mutuel wagering;

(5) Employing in any horse racing operation or associated facility any person known to have been found guilty of cheating or using any improper device in connection with any horse race, pari-mutuel wagering operation, or other type of gaming;

(6) Use of fraud, deception, misrepresentation, extortion, threats, or bribery in securing any permit or license issued pursuant to sections 313.500 to 313.720;

(7) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, misrepresentation, extortion, or threats;

(8) Incompetence, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions or duties regulated by sections 313.500 to 313.720.

**313.580.** 1. Pari-mutuel wagering shall only be conducted within the grounds or enclosure of a racetrack licensed by the commission and shall only be conducted with respect to [horse] races [and], race meetings [which have been authorized by the commission at such licensed racetrack] **or simulcasts. No gaming devices or practices shall be allowed on the race meeting grounds other than those devices and practices necessary to conduct pari-mutuel wagering on live races or the simulcast of live races.**

2. No [organization] **entity** shall conduct pari-mutuel wagering on [horse] racing without a valid [racetrack] license issued by the commission [with respect to the conduct of horse racing and race meets authorized by the commission]. Any [organization] **entity** desiring to conduct pari-mutuel wagering on [horse] racing shall apply to the commission for a [racetrack] license and shall provide the information required by the commission before a license may be issued.

[2.] **3.** The commission shall not issue any [racetrack] license to any [individual or organization] **applicant**:

(1) Who has or which has an officer, director, **member, manager**, or stockholder who has been convicted of a felony;

(2) Who has or which has an officer, director, **member, manager**, or stockholder who has been convicted of or pleaded nolo contendere to any illegal gambling activity; or

(3) Who is or which has an officer, director, **member, manager**, or stockholder who is not of good moral character. [As used in this subsection, the term "stockholder" shall mean record owners of any class of stock, and beneficial owners of any class of stock as provided in subsection 4 of section 313.600, which constitutes two percent or more of the licensee's stock.

- 3.] **4.** The commission shall not issue any license for a racetrack unless the commission has first determined:
- (1) That the applicant would be a suitable licensee;
  - (2) That a licensed racetrack at the proposed location would be in the public interest;
  - (3) That the proposed racetrack operation is economically feasible;
  - (4) That the proposed racetrack's establishment would not be detrimental to the development of a sound [horse] racing program for Missouri;
  - (5) That any financing of applicant's proposed operations is adequate and comes from a source that is not detrimental to the public interest; [and]
  - (6) That the applicant has complied with all requisite provisions of law and of rules and regulations promulgated by the commission; **and**
  - (7) **That the proposed racetrack would be located within a county in which a majority of the voters have approved excursion gambling boats.**

[4.] **5.** If any organization is ineligible to be granted a [racetrack] license because of any of the matters set forth in this section, any other affiliated organization or person that is either controlled, directly or indirectly, by such ineligible organization or person shall also be ineligible.

[5.] **6.** The commission shall only license the number of racetracks and authorize the number of races which it determines to be in the public interest and economically feasible.

**7. Licenses granted by the commission shall be valid until revoked by the commission for cause following proper notice and an opportunity for hearing.**

**8. No public funds or powers of eminent domain shall be used for the purchase, construction, operation, or maintenance of any privately-owned race meeting grounds, nor shall any redevelopment plan be adopted pursuant to sections 99.800 to 99.865, RSMo, after January 1, 2002, for tax-increment financing projects that include privately-owned race meeting grounds.**

**313.583. 1.** An application to receive a license constitutes a request for a determination of the applicant's general character, integrity, and suitability for licensure. Such determination shall be made by the commission after due investigation of the applicant. The applicant for such license shall file with its application an application fee of fifty thousand dollars. If the cost of the commission's investigation exceeds the total amount of the fee paid by the applicant pursuant to this section, the commission may assess additional fees as it deems appropriate; however, if the applicant is denied a license, the applicant shall be entitled to a refund of the difference between the application fee and the actual costs of the investigation.

**2.** Applications for a license shall be made, processed, and determined using such forms as the commission may require. The application shall fully identify the applicant, include evidence of the financial responsibility of the applicant, describe the names and identification of those who will supervise the wagering, describe the controls and supervision by the licensee and describe the general physical layout of the track and its location.

**3.** In acting on applications for licenses, the commission shall require all applicants to implement a good faith affirmative action effort and to furnish the commission with a description of plans for compliance with all laws pertaining to discrimination, equal employment, and affirmative action; policies regarding recruitment, use and advancement of minorities; policies with respect to minority contracting; a copy of the equal employment opportunity statement and policy of the applicant dated and signed by the chief executive officer; and a copy of the affirmative action policy and procedures of the applicant dated and signed by the chief executive officer; and identification of the affirmative action officer, including name, title, address, and telephone number.

**313.585. 1.** The commission shall not issue a license to operate to an applicant unless the applicant affirms that it will make a capital investment in its race meeting grounds in Missouri exceeding ten million dollars within the first forty-two months after licensure, and that it will conduct at least:

- (1) Twenty days of live racing in this state within eighteen months following licensure;
- (2) Thirty days of live racing in this state during the next twelve-month period; and
- (3) Fifty days of live racing in this state during each twelve-month period thereafter.

The commission shall only have authority to waive, suspend, or modify the provisions of this section in the event that circumstances beyond the control of the applicant or licensee prevent the applicant or licensee from complying with such requirements.

**2.** In the event that a licensee does not make a capital investment or own and operate a live racetrack that



conducts the minimum number of days of live racing in Missouri as set forth in subsection 1 of this section, the commission shall restrict, revoke, suspend, or place on probation the licensee's right to operate until the licensee adequately demonstrates an ability to satisfy the requirements of subsection 1 of this section.

3. The commission shall not issue a license to any applicant unless the applicant establishes by clear and convincing evidence that it will timely arrange for the capital investment in its race meeting grounds as set forth in subsection 1 of this section so as to demonstrate a significant financial commitment to the host community.

4. The commission shall not issue a license to any applicant except upon the express condition and representation that the licensee shall not, by any lease, contract, understanding or arrangement of whatever kind or nature, grant, assign, transfer or turn over to any person, corporation, partnership or business, the ownership, operation or management of the track without the prior approval of the commission. Nothing contained in this section prohibits:

(1) The licensee from paying a percentage of the amounts wagered at its race grounds to a track for the right to be part of a common pari-mutuel pool and for the right to receive a simulcast from such racetrack; or

(2) The licensee from paying a percentage of the amounts wagered at its race grounds to an individual, corporation, partnership, or other entity as compensation for the services of a pari-mutuel system.

313.587. 1. A licensee shall not use a pari-mutuel system unless the system has been approved for use by the commission. The physical location of the system may be in a state other than Missouri. A pari-mutuel wagering system shall:

(1) Include a fully redundant computer;

(2) Receive, aggregate by pool, and report to a track at regular intervals, all pari-mutuel wagering information received from the licensee;

(3) Receive and report to the licensee at regular intervals all wagering data received from the racetrack to the system;

(4) After each race on which pari-mutuel wagering is conducted and which is declared official, receive and report to the licensee the results and payoff prices reported by the track; and

(5) Provide all accounting and reconciliation reports required by the commission.

2. Operators of the pari-mutuel system shall:

(1) Be subject to such regulatory supervision as the commission deems appropriate;

(2) Put in place and use communication equipment to supplement that used to transmit simulcasts and to facilitate the pari-mutuel wagering system to ensure that the operator is:

(a) Able to contact each licensee immediately; and

(b) Able at all times to respond immediately to licensee requests for confirmation of information included in the simulcasts or otherwise generated by the pari-mutuel system.

313.590. A [racetrack licensed under section 313.580] **licensee** shall post a bond payable to the state of Missouri, before the license is issued, in an amount set by the commission, with sureties to be approved by the commission. The bond shall be used to guarantee that the licensee **satisfies its obligation to maintain all facilities for which it is licensed**, faithfully makes the payments, keeps its books and records and makes reports, and conducts its racing and wagering activity in conformity with sections 313.500 to [313.710] **313.720** and the rules adopted by the commission. The bond shall not be canceled or assigned by a surety on less than thirty days' notice in writing to the commission. If a bond is canceled and the licensee fails to file a new bond with the commission in the required amount on or before the effective date of cancellation, the licensee's license shall be revoked. The total and aggregate liability of the surety on the bond is limited to the amount specified in the bond.

313.600. 1. [Whenever any organization has been granted a racetrack license to conduct a horse race meeting,] No officer or director of [such organization] **a licensee**, or person [who will thereby] **proposed to** become [the owner or holder, directly or indirectly, of five percent or more of the shares of stock or certificates or other evidence of ownership] **a stockholder** in such [organization] **licensee**, may become [the owner or holder, directly or indirectly, of any such shares of stock or certificates or other evidence of ownership] **a stockholder** without first having obtained the approval of the commission. The commission may, after hearing, revoke or suspend a [racetrack] license granted to any [organization] **licensee** which shall register on its books in the name of any such officer, director, or person its share of stock or certificate or other evidence of ownership of any interest in the organization without the prior approval of the commission or which shall knowingly permit any such officer, director, or person to be directly or indirectly interested in its share of stock or certificates or other evidences of ownership of any interest in the organization without reporting the same to the commission or which violates any rules or regulations of the commission.

2. Whenever the commission shall give to any officer or director of any [organization] **licensee**, or person [who

will thereby] **proposed to** become [the owner or holder, directly or indirectly, of five percent or more of the shares of stock or certificates or other evidences of ownership of any interest in an organization] **a stockholder in a licensee**, its approval to [own or hold the shares of stock or certificates or other evidences of ownership of any interest] **become a stockholder** in any such [organization] **licensee**, it shall, by registered mail, notify the organization of such approval. Under no circumstances shall the commission give such approval to any such officer, director or person who has been convicted of or is under an indictment for a crime involving moral turpitude [or has violated any provisions of the racing law of any state or any rules or regulations of the commission of any state] **or a felony**.

3. The commission shall require all licensees, including any officers and stockholders thereof, to disclose fully to the commission all financial interests that they may have in horse racing **that are deemed relevant by the commission**.

4. The commission shall require each licensee [under] **pursuant to** this section to maintain records [of owners of stock of the licensee so that the names of all persons, including corporations, trusts, estates, and partnerships, who are the beneficial owners of the stock are disclosed] **its stockholders**, regardless of the manner in which, or whether, the ownership interest is stated or registered on the stock of the licensee. **For purposes of determining stockholders**, beneficial ownership includes, but is not limited to record ownership and:

(1) Stock or other ownership in one or more entities in a chain of parent and subsidiary or affiliated entities, any one of which participates in the capital or profits of a licensee, regardless of the percentage of ownership involved; or

(2) Any interest which entitles a person to benefits substantially equivalent to ownership by reason of any contract, understanding, relationship, agreement, or other arrangement, even though the person is not the record owner. Unless there are special circumstances, securities held by an individual's spouse or relatives, including children, living in the home, are beneficially owned by the individual.

5. In addition to any other action which is necessary to obtain disclosure of [beneficial ownership of stock] **stockholders**, the commission shall require each licensee, at least once every calendar year, to obtain, pursuant to written notice to the [record owners of all stock] **stockholders** of the licensee, an affidavit from each [record owner owning two percent or more] **stockholder**, sworn to under the penalty of perjury, stating to the best of the affiant's knowledge, information and belief:

(1) Whether any person other than the affiant has any right of beneficial ownership of any kind in the stock held in the name of the affiant;

(2) The name and address of the other person; and

(3) The amount and nature of the ownership.

6. If the licensee receives information indicating that a person other than the record owner has a beneficial ownership interest in stock of the licensee, the licensee shall request promptly by written notice to the other person, that this person submit to the licensee within sixty days from the date of the notice an affidavit, sworn to under the penalty of perjury, stating to the best of the affiant's knowledge, information and belief:

(1) Whether the affiant has any right of ownership in stock of the licensee attributed to the affiant in the notice and the amount and nature of the ownership;

(2) Whether any person other than the affiant and the record owner has any right of ownership of any kind in stock of the licensee attributed to the affiant by the notice to the affiant; and

(3) The amount and nature of the ownership of any other person.

7. Notwithstanding the affidavit requirements of this subsection, the commission may limit the ownership that must be reported in an affidavit to [two] **five** percent or more of the beneficial ownership of the licensee.

8. Each licensee shall submit the ownership records and affidavits required by this section to the commission annually and at the other times required by the commission. Any change in the [record ownership or beneficial ownership of stock] **stockholders** of any licensee shall be reported promptly to the commission. Upon the failure of any licensee to maintain and report records of ownership of stock, as required by this subsection, or the failure of any licensee to make a reasonable effort to obtain the affidavits required by this subsection, the commission shall suspend or revoke the license of the track for a period determined by the commission.

9. All statements required to be filed with the commission shall be filed under oath and shall be signed by the officers of the corporation, or, if unincorporated, by the owner or all the partners, general and limited, of the licensee.

313.605. 1. [In addition to the provisions of subsection 1 of this section,] No [organization] **entity** shall be granted a [racetrack] license [to hold a race meeting in this state] and the commission may revoke or suspend a [racetrack] license if any public official of the state or his or her spouse, children or parents hold any financial interest, directly or indirectly, in the shares of stock or certificates or other evidences of ownership in [the organization] **such entity or licensee**. **No entity shall be granted a license and the commission may revoke or suspend a license if**

**any stockholder of a licensee has any financial interest, directly or indirectly, in the ownership of any other gaming activity or gaming business unrelated to horse racing.**

2. No [organization which has been granted a racetrack license to hold a race meeting] **licensee** shall give to any public official or his or her spouse, children or parents, directly or indirectly, for or without consideration any interest in shares of stock or certificates or other evidences of ownership [in the organization]. The commission shall, after hearing, revoke the [racetrack] license granted to [an organization] **any entity** which has violated this subsection.

313.610. Any [organization] **entity** conducting a horse race [or race meeting] at which pari-mutuel wagering is conducted without a valid license issued pursuant to sections 262.260 to 262.270, RSMo, and 313.500 to [313.710] **313.720** shall upon conviction be guilty of a class B felony.

313.620. 1. The commission shall prescribe by rule the amount and frequency of [application fees and] per day licensing fees for racetracks where pari-mutuel wagering is permitted.

2. The commission may prescribe by rule license fees for race [meets] **meetings** with respect to which pari-mutuel wagering is conducted.

3. All funds received from application fees, per day licensing fees and other licensing fees shall be **collected by the commission and transmitted to the department of revenue to be** deposited in the [state treasury to the credit of the general revenue fund, and shall not be transferred except by appropriation as provided by the constitution and laws enacted pursuant thereto] **Missouri horse racing fund.**

313.630. 1. **Each licensee shall pay to the commission an admission fee of three dollars for each person entering the race meeting grounds. All revenue received by the commission from the race meeting grounds admission fee shall be deposited in the state treasury by the commission to the credit of the Missouri horse racing fund.**

2. In lieu of any state or local sales tax on the gross receipts from admissions paid by persons attending the races and in lieu of any state or local amusement or entertainment tax, there is hereby imposed on each [organization licensed to conduct horse races under the provisions of sections 313.510 to 313.710] **licensee** a tax equal to ten percent of all moneys received each day from admissions paid by persons attending the [races] **race meeting** for deposit in the [state treasury to the credit of the general revenue fund. The general assembly shall appropriate money from general revenue, up to one-half of the amount credited annually pursuant to this section, to municipalities and counties in the area in which races are conducted to assist the funding of services and facilities required by the conduct of racing in such municipality or county. Any county or municipal racing authority shall be subject to the rules and regulations of the commission] **Missouri horse racing fund.**

313.631. Every [organization licensed to conduct horse races under the provisions of sections 262.260 to 262.270, RSMo, and 313.500 to 313.710] **licensee** shall so keep its books and records as to clearly show the true number of admissions **to its race meeting**, the total amount of money contributed to each pari-mutuel pool on each race [separately] **run at its track, the total amount of money contributed to each pari-mutuel pool on which it accepts wagers**, and the amount of money received daily from admission fees and within thirty days after the conclusion of every [race meeting] **month**, shall submit to the commission a complete accounting of all such receipts and admissions.

[313.632. All contracts and agreements for the payment of money and all salaries, fees and compensation paid by any organization licensed as hereinbefore provided, and all proposed extensions, additions, or improvements to the buildings, stables, improvements or tracks upon property owned or leased by such licensee shall be subject to the approval of the commission.]

313.640. 1. Every individual participating in horse racing, whether as a [racetrack] licensee, holder of any interest in a [racetrack license] **licensee**, association employee, concessionaire contract holder, and owner or general manager of same, concessionaire employee, or racing official, and all other individuals whose duties require them to be present on [association premises] **race meeting grounds** during racing hours, or to regularly visit such premises during racing hours, are required to have an occupation license from the commission authorizing them to be employed on the licensed premises and to practice their business, profession, or skill. The following individuals are not required to obtain an occupation license:

- (1) Public officers and public employees engaged in the performance of their official duties; and
- (2) Individuals exempted by the commission.

License applicants shall be required to furnish to the commission a set of fingerprints and a recent photograph and shall be required to be refingerprinted or rephotographed periodically.

2. Each application for an occupation license shall be on forms prescribed by the commission. Such occupation license, when issued, shall be for a period up to one year, except that the commission in its discretion may grant up to

three-year licenses. **An occupational license shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated his or her suitability to be licensed. The commission may reopen occupational licensing hearings at any time.** The application shall be accompanied by a license fee which shall be set by the commission. Each applicant **for an occupational license** shall set forth in the application his **or her** full name and address, and if he **or she** has been issued prior occupation licenses or has been licensed in any other state under any other name, such name, his **or her** age, whether a permit or license issued to him **or her** in any other state has been suspended or revoked and if so whether such suspension or revocation is in effect at the time of the application, and such other information as the commission may require. [The commission shall also determine fees for registration of stable names. Fees collected for registration of stable names shall be deposited in the state treasury to the credit of general revenue and subject to appropriation as provided by law.]

3. The commission may in its discretion refuse an occupation license to any individual:

- (1) Who has been convicted of a crime;
- (2) Who is unqualified to perform the duties required of such applicant;
- (3) Who fails to disclose or states falsely any information called for in the application;
- (4) Who has been found guilty of a violation of sections 313.500 to [313.710] **313.720** or of the rules and regulations of the commission;
- (5) Whose occupation license or permit has been suspended, revoked, or denied for just cause in any state;
- (6) Who is a past or present member or participant in organized crime as such membership or participant may be found or determined by the commission;
- (7) Who is an illegal alien;
- (8) Who is an employee of the commission or any spouse, child, brother, sister, or parent of an employee or member of the commission; or
- (9) For any other just cause.

4. The commission may suspend or revoke any occupation license:

- (1) For violation of any of the provisions of sections 313.500 to [313.710] **313.720**; or
- (2) For violation of any of the rules or regulations of the commission; or
- (3) For any cause which, if known to the commission, would have justified the commission in refusing to issue such occupation license; or
- (4) For any other just cause.

5. [At least eighty percent of all individuals employed directly at each and every race meeting by an organization licensed to conduct horse racing under sections 313.500 to 313.710 shall be residents of the state of Missouri for a period of ninety days next preceding the date of employment and during the course of employment.

6.] In acting on applications for organization licenses, the commission shall require all applicants to implement a good faith affirmative action effort to recruit, train, and upgrade minorities in all classifications of employment by the applicant. The applicant shall furnish the commission with a description of plans for compliance with all laws pertaining to discrimination, equal employment, and affirmative action; policies regarding recruitment, use, and advancement of minorities; policies with respect to minority contracting; a copy of Equal Employment Opportunity Statement and Policy of the applicant dated and signed by the chief executive officer; and a copy of Affirmative Action Policy and Procedures dated and signed; and identification of the affirmative action officer, including name, title, address, and telephone number.

313.652. 1. Any [organization licensed by the commission to conduct a horse race meeting] **licensee** may provide places in the race meeting grounds or enclosure and may conduct and supervise therein the pari-mutuel system of wagering by patrons [of] **on** the [horse] races conducted by such organization licensee at such **race meeting or on simulcasts**.

2. No other [place or] method of betting, pool making, wagering, or gambling shall be used or permitted by the [racetrack] licensee. Each [racetrack] licensee shall deduct the following amounts on all **live** races conducted by it: eighteen percent of the regular mutuel pool, twenty percent of the multiple mutuel pool involving two horses, and twenty-five percent of the multiple mutuel pool involving three or more horses. **Simulcasting shall be taxed at the same rate as live racing as provided in sections 313.652 & 313.655.** "Regular mutuel pool" means a separate wagering pool in which an interest is represented by a single ticket evidencing a single wager on one horse. "Multiple mutuel pool" means a separate wagering pool in which an interest is represented by a single wager on two or more horses. For the first one hundred million dollars of the total pari-mutuel pool for [the licensed race meeting] **live races**, each racetrack licensee shall apply the amounts deducted as follows:

- (1) One percent of the regular mutuel pools, one and one-quarter percent of the multiple mutuel pools involving

two horses, and one and one-half percent of the multiple mutuel pools involving three or more horses shall be paid to the commission;

(2) Eight percent of the regular mutuel pools, eight and three-quarters percent of the multiple mutuel pools involving two horses, and eleven percent of the multiple mutuel pools involving three or more horses shall be allocated for purse money. The formula for distribution of the purse money shall be determined by an agreement between an organization representing **a majority of the horsemen and the tracks**, the agreement to be subject to the approval of the commission;

(3) One-half of one percent of the regular mutuel pools, three-quarters of one percent of the multiple mutuel pools involving two horses, and one percent of the multiple mutuel pools involving three or more horses shall be [used for breeder incentives. The method of payment and distribution of breeder incentives shall be set forth by the commission in rules] **paid to the Missouri breeders fund**;

(4) Eight and one-half percent of the regular mutuel pools, nine and one-quarter percent of the multiple mutuel pools involving two horses, and eleven and one-half percent of the multiple mutuel pools involving three or more horses shall be retained by the licensee.

3. For the next fifty million dollars of the total pari-mutuel pool for the [licensed race meeting] **live races in the twelve-month period**, each racetrack licensee shall apply the amount deducted as follows:

(1) Two percent of the regular mutuel pools, two percent of the multiple mutuel pools involving two horses, and two percent of the multiple mutuel pools involving three or more horses shall be paid to the commission;

(2) Seven and one-half percent of the regular mutuel pools, eight and one-half percent of the multiple mutuel pools involving two horses, and ten and one-half percent of the multiple mutuel pools involving three or more horses shall be allocated for purse money. The formula for distribution of the purse money shall be determined by an agreement between an organization representing the horsemen and the tracks, the agreement to be subject to the approval of the commission;

(3) One-half of one percent of the regular mutuel pools, three-quarters of one percent of the multiple mutuel pools involving two horses, and one percent of the multiple mutuel pools involving three or more horses shall be [used for breeder incentives. The method of payment and distribution of breeder incentives shall be set forth by the commission in rules] **paid to the Missouri breeders fund**;

(4) Eight percent of the regular mutuel pools, eight and three-quarters percent of the multiple mutuel pools involving two horses, and eleven and one-half percent of the multiple mutuel pools involving three or more horses shall be retained by the licensee.

4. For all amounts of the total pari-mutuel pool for the [licensed race meeting] **live races in the twelve-month period** in excess of one hundred fifty million dollars, each racetrack licensee shall apply the amount deducted as follows:

(1) Four percent of the regular mutuel pools, four percent of the multiple mutuel pools involving two horses, and four percent of the multiple mutuel pools involving three or more horses shall be paid to the commission;

(2) Six and one-half percent of the regular mutuel pools, seven and one-quarter percent of the multiple mutuel pools involving two horses, and nine and one-half percent of the multiple mutuel pools involving three or more horses shall be allocated for purse money. The formula for distribution of the purse money shall be determined by an agreement between an organization representing the horsemen and the tracks, the agreement to be subject to the approval of the commission;

(3) One-half of one percent of the regular mutuel pools, three-quarters of one percent of the multiple mutuel pools involving two horses, and one percent of the multiple mutuel pools involving three or more horses shall be [used for breeder incentives. The method of payment and distribution of breeder incentives shall be set forth by the commission in rules] **paid to the Missouri breeders fund**;

(4) Seven percent of the regular mutuel pools, eight percent of the multiple mutuel pools involving two horses, and ten and one-half percent of the multiple mutuel pools involving three or more horses shall be retained by the licensee.

5. Each [racetrack] licensee shall pay to the commission, within three days after each day of racing, a tax at the rate specified in this section on the total amount of money wagered on all races that day. The payment of the tax shall be accompanied by a statement of the [racetrack] licensee, or his **or her** duly authorized agent under oath, showing the amount of money wagered that day.

6. Breakage paid in the Missouri horse racing fund shall not be specially allocated for purse money for special races, for breeder and owner awards and for horse racing development; however, breakage may be used for these purposes.

7. Unclaimed winnings paid into the Missouri horse racing fund shall not be specially allocated for purse money for special races, for breeder and owner awards and for horse racing development; however, unclaimed winnings may be used for these purposes.

[8. All moneys provided for breeder incentives shall not lapse and interest earned on such moneys shall be credited the account. The provisions of section 33.080, RSMo, to the contrary notwithstanding, these funds shall not be transferred and placed to the credit of the general revenue fund at the end of each biennium.]

313.655. 1. [An organization licensed to conduct racing in this state, with the approval of the commission,] **Any licensee** may contract to conduct pari-mutuel wagering on a simulcast of horse races held at racetracks in this state or other states or countries where the conduct of racing and wagering is permitted by law.

2. Any wagering made under this section shall take place within the confines of the licensee's [racetrack] **race meeting grounds** pursuant to rules promulgated by the commission. [The licensed racetrack may simulcast up to, but not more than the number of days in which it conducts live racing.] **A licensee may conduct pari-mutuel wagering on simulcasts with no limit on the number or frequency of such simulcasts at locations within its race meeting grounds.**

3. Computation of the total takeout and breakage for wagering made under this section shall be the same as that normally applicable to racing conducted by the [licensee] **racetrack at which the races in question are held, as determined by the commission.**

4. After deducting from the takeout the applicable tax of this state on the entire **portion of the pari-mutuel pool originating within the confines of the licensee's race meeting grounds**, the amount to be paid under the terms of the contract to the racetrack from which the race or races will be simulcast, and the cost of transmission, the remainder shall be allocated in the same proportions as normally applicable to racing conducted by the licensee.

5. The terms and conditions of any contract [with a racetrack] **for simulcasting from race meeting grounds** made [under] **pursuant to** this section are subject to the approval of the respective groups which represent a majority of the horsemen racing at the track licensed by the commission [and a majority of the applicable breeders in this state].

[6.] The provisions of the Federal Interstate [Horseracing] **Horse Racing Act of 1978, Title 15, Sections 3001 [through] to 3007, [U.S. Code] U.S.C., as amended**, shall be instructive regarding the intent of this [section] subsection.

**6. A licensee may contract with a race track or off-track betting system in another jurisdiction outside Missouri so that the licensee's live races are the subject of simulcasting outside this state. Pari-mutuel wagering on the licensee's live races is permitted when approved by the licensee and conducted in accordance with the Interstate Horse Racing Act of 1978, Title 15, Section 3001 to 3007, U.S.C. as amended. The revenue that a licensee receives from such simulcast wagering shall be retained by the licensee, subject to a deduction of that amount allocated to purse money as determined by an agreement between the licensee and the organization that represents a majority of the horsemen racing at the track.**

313.660. 1. No individual shall for a fee, directly or indirectly, accept anything of value to be wagered or to be transmitted or delivered for wager in any pari-mutual system of wagering on [horse] racing or for a fee deliver anything of value which has been received outside of the [enclosure of a racetrack holding a horse race licensed under sections 313.500 to 313.710 to be placed as wagers in the pari-mutual pool within such enclosure.

2.] **race meeting grounds licensed pursuant to sections 313.500 to 313.720.** Any individual violating the provisions of this section shall upon conviction be guilty of a class C felony.

**2. A person is guilty of a class A misdemeanor for any of the following:**

(1) **Operating pari-mutuel wagering without a license issued by the commission; or**  
 (2) **Operating pari-mutuel wagering where wagering is permitted other than in the manner specified by sections 313.500 to 313.720.**

**313.662. A licensee shall allow patrons to cash an outstanding pari-mutuel ticket for a given race up to one hundred eighty days from the date on which said race is made official. Tickets which are not redeemed within such time become valueless and the sum of money represented by such tickets, including breakage, accrue to the licensee.**

313.670. 1. No [racetrack] licensee shall knowingly permit any individual under the age of eighteen years unless accompanied by a parent or guardian over the age of eighteen to be admitted to any pari-mutual wagering area during a race meeting, nor shall any [racetrack] licensee knowingly permit any person under the age of eighteen years to wager on any [horse] race conducted by the [organization] licensee.

2. No individual under the age of eighteen years shall knowingly make or attempt to make any wager on any horse race subject to the provisions of sections 262.260 to 262.270, RSMo, and 313.500 to [313.710] **313.720.**

3. Any individual who violates this section shall upon conviction be guilty of a class A misdemeanor.

[313.710. A program to encourage and award the owners and breeders of Missouri-bred horses that win horse races in this state may be established by rules and regulations promulgated by the commission.]

313.720. 1. There is hereby created a "Missouri Breeders Fund", which shall not represent revenue collected and moneys received by the state. **The fund shall be used to establish a program to encourage and reward the owners and breeders of Missouri-bred horses that win races in this state. Such a program may be established by rules and regulations promulgated by the commission. The program shall include a "Missouri-Bred" event within two years of the first race held and such event will be held at least five times each calendar year or such greater number as prescribed by the commission.**

2. The fund shall consist of those funds set aside for breeder incentives as provided in [section 313.710] **sections 313.500 to 313.720**, such registration fees for the owners and breeders of Missouri-bred horses as the commission may provide by rule, such gifts, or bequests as the fund may from time to time receive and such funds as the general assembly may provide. [Any gift or bequest shall be credited to such account as the donor or devisee may provide. If no specific account is provided by the donor or designee, such gift or bequest shall be divided equally among the three accounts.]

3. The Missouri breeders fund shall be administered by the commission, with the advice and assistance of advisory committees designated for that purpose by the rules of the commission. The commission shall, at least biennially, carry out such audits as provided by rule. The costs of administration shall be borne by the fund. The commission shall have authority to promulgate such rules as may be necessary or desirable for the efficient operation of the Missouri breeders fund and to provide incentives for breeders and owners of Missouri-bred horses.

4. The Missouri breeders fund shall not lapse and the interest earned on such fund shall be credited to the fund. The provisions of section 33.080, RSMo, to the contrary notwithstanding, funds in the Missouri breeders fund shall not be transferred and placed to the credit of the general revenue fund at the end of each biennium.

**Section 1. The district shall award at least twenty-five percent of the aggregate dollar amount of all contracts to provide goods and services to the commission to minority business enterprises as defined by the office of administration. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission. Any contract awarded to any horse race commission contractor or vendor shall provide that such contractor or vendor shall award a minimum of twenty-five percent of subcontracted business to minority business enterprises as defined by the office of administration.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Kelley (47) raised a point of order that **House Amendment No. 1** is not germane to **Part II**.

Representative Boatright raised an additional point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the points of order not well taken.

On motion of Representative Crump, **House Amendment No. 1 to Part II** was adopted by the following vote:

AYES: 076

Abel	Barnitz	Barry 100	Berkowitz	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Byrd	Carnahan	Clayton	Copenhaver
Crump	Davis	Dolan	Farnen	Foley
Franklin	Fraser	Gambaro	George	Gratz
Green 15	Green 73	Hagan-Harrell	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Johnson 61
Johnson 90	Jones	King	Koller	Lograsso

Long	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Ransdall	Relford
Richardson	Ridgeway	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Thompson	Townley
Troupe	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 070

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Bland	Boatright
Burcham	Burton	Campbell	Champion	Cooper
Crawford	Crowell	Cunningham	Daus	Dempsey
Enz	Froelker	Gaskill	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Hegeman	Henderson
Hendrickson	Hosmer	Hunter	Jetton	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Lawson
Linton	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Myers	Nordwald
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Smith
St. Onge	Surface	Treadway	Willoughby	Wright

PRESENT: 001

Fares

ABSENT WITH LEAVE: 015

Berkstresser	Cierpiot	Curls	Graham	Harlan
Hohulin	Holand	Legan	Liese	Murphy
Reynolds	Shoemaker	Skaggs	Van Zandt	Wagner

VACANCIES: 001

**Representative Kelley (47) offered House Amendment No. 2 to Part II.**

*House Amendment No. 2  
to  
Part II*

AMEND Part II of House Substitute for Senate Bill No. 1220 by inserting on Page 10 after Line 22, the following:

**"313.232. 1. After August 28, 2002, the commission shall not implement or operate any keno game unless it is authorized to do so pursuant to statutory authority or approval by the voters of this state.**

**2. For the purposes of this section, "keno" shall mean a game of chance where each player is given one or more sheets that have a panel of numbers from which the player chooses certain numbers by marking his or her selections and placing a bet with a clerk who verifies the numbers the player has chosen. A certain amount of numbers are then chosen at random by the person or persons running the keno game and a player wins by matching his or her selected numbers with the numbers that have been chosen at random. A player is paid according to a schedule of payment provided by the person or persons who are running the game. A keno game may also use video or electronic equipment. Keno shall not include the game of bingo as defined in section 313.005."; and**



Further amend said bill's title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (47), **House Amendment No. 2 to Part II** was adopted by the following vote:

AYES: 089

Baker	Ballard	Barnett	Bartelsmeyer	Bearden
Behnen	Black	Boatright	Brooks	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Daus	Dempsey
Enz	Fares	Froelker	Gaskill	Gratz
Green 15	Griesheimer	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Holt	Hosmer	Hunter	Jetton	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Nordwald	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Selby	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Townley	Troupe
Vogel	Walker	Whorton	Wright	

NOES: 057

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Campbell	Carnahan	Clayton	Copenhaver
Crump	Davis	Farnen	Foley	Franklin
Gambaro	George	Green 73	Hagan-Harrell	Hampton
Haywood	Hickey	Hilgemann	Hollingsworth	Hoppe
Johnson 90	Jones	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Relford	Rizzo
Seigfreid	Shelton	Thompson	Treadway	Van Zandt
Villa	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 016

Bartle	Berkstresser	Curls	Dolan	Fraser
Graham	Harlan	Johnson 61	Liese	Naeger
Ostmann	Reynolds	Scheve	St. Onge	Wagner
Williams				

VACANCIES: 001

On motion of Representative O'Toole, **Part II of HS SB 1220, as amended**, was adopted.

On motion of Representative O'Toole, **Part III of HS SB 1220** was adopted.

Representative Relford offered **House Amendment No. 1 to Part IV.**

*House Amendment No. 1  
to  
Part IV*

AMEND Part IV of House Substitute for Senate Bill No. 1220 by placing the following in the appropriate position:

"313.820. 1. An excursion boat licensee shall pay to the commission an admission fee of two dollars for each person embarking on an excursion gambling boat with a ticket of admission. One dollar of such fee shall be deposited to the credit of the gaming commission fund as authorized pursuant to section 313.835, and one dollar of such fee shall not be considered state funds and shall be paid to the home dock city or county **for ten years after the excursion boat has first admitted persons for gambling. After ten years from the date when the excursion boat begins admitting persons for gambling, fifty cents of such fee shall not be considered state funds and shall be paid to the home dock city or county, and fifty cents shall be paid to trust funds created for law enforcement and fire protection with twenty-five cents going to the trust fund for law enforcement and twenty-five cents going to the trust fund for fire protection. The director of the department of public safety is responsible for the administrative duties of the law enforcement and fire protection trust funds. The director shall use the money deposited in these funds solely for funding the equipment and salary needs of law enforcement and fire departments within the state.** Subject to appropriation, one cent of such fee deposited to the credit of the gaming commission fund may be deposited to the credit of the compulsive gamblers fund created pursuant to the provisions of section 313.842. Nothing in this section shall preclude any licensee from charging any amount deemed necessary for a ticket of admission to any person embarking on an excursion gambling boat. If tickets are issued which are good for more than one excursion, the admission fee shall be paid to the commission for each person using the ticket on each excursion that the ticket is used. If free passes or complimentary admission tickets are issued, the excursion boat licensee shall pay to the commission the same fee upon these passes or complimentary tickets as if they were sold at the regular and usual admission rate; however, the excursion boat licensee may issue fee-free passes to actual and necessary officials and employees of the licensee or other persons actually working on the excursion gambling boat. The issuance of fee-free passes is subject to the rules of the commission, and a list of all persons to whom the fee-free passes are issued shall be filed with the commission.

2. All licensees are subject to all income taxes, sales taxes, earnings taxes, use taxes, property taxes or any other tax or fee now or hereafter lawfully levied by any political subdivision; however, no other license tax, permit tax, occupation tax, excursion fee, or taxes or fees shall be imposed, levied or assessed exclusively upon licensees by a political subdivision. All state taxes not connected directly to gambling games shall be collected by the department of revenue. Notwithstanding the provisions of section 32.057, RSMo, to the contrary, the department of revenue may furnish and the commission may receive tax information to determine if applicants or licensees are complying with the tax laws of this state; however, any tax information acquired by the commission shall not become public record and shall be used exclusively for commission business."; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 1 to Part IV** was adopted.

On motion of Representative O'Toole, **Part IV of HS SB 1220, as amended**, was adopted by the following vote:

AYES: 072

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro

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George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Haywood	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Lawson	Mays 50	McKenna	Merideth	Monaco
Nordwald	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Rizzo	Seigfreid	Selby
Shelton	Shoemyer	Treadway	Villa	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bearden	Behnen
Black	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holt
Hunter	Jetton	Kelley 47	Kelly 144	King
Koller	Legan	Linton	Lograsso	Luetkemeyer
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	Skaggs	Smith
St. Onge	Surface	Townley	Vogel	Wright

PRESENT: 001

Thompson

ABSENT WITH LEAVE: 019

Bartle	Berkstresser	Curls	Harlan	Holand
Liese	Long	Lowe	Luetkenhaus	Marble
Naeger	Ostmann	Reynolds	Roark	Scheve
Troupe	Van Zandt	Wagner	Walker	

VACANCIES: 001

**HS SB 1220, as amended,** was laid over.

Representative Britt resumed the Chair.

**PERFECTION OF HOUSE BILL**

**HB 1916**, relating to Kansas City school board elections, was taken up by Representative Franklin.

**HB 1916** was laid over.

## **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS#2 SCS SBs 984 & 985** - Environment and Energy  
**SS SCS SB 1059** - Education-Elementary and Secondary  
**SCS SB 1060** - Local Government and Related Matters  
**SS SB 1248** - Miscellaneous Bills & Resolutions

## **COMMITTEE REPORTS**

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SCS SCR 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Banks and Financial Institutions**, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SS SCS SB 884**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SB 895**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SS SCS SBs 969, 673 & 855**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Criminal Law**, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **SCS SB 1070**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SCR 36**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Elections**, Chairman Seigfreid reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SS SCS SB 675**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 54**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **HCS SCS SB 712**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SS SB 1248**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Social Services, Medicaid and the Elderly**, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SCS SB 810**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SS SCS SBs 970, 968, 921, 867, 868 & 738**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1151**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1715**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1768**, entitled:

An act to repeal section 511.360, RSMo, and to enact in lieu thereof one new section relating to liens of a judgement or decree on real estate.

With Senate Committee Amendment No. 1

*Senate Committee Amendment No. 1*

AMEND House Bill No. 1768, Page 1, Section 511.360, Line 8, by inserting after the word “rendered” the following: “**or revived**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1814**, entitled:

An act to repeal sections 455.027, 455.060, 455.067, 455.075, 455.504 and 455.508, RSMo, and to enact in lieu thereof five new sections relating to orders of protection.

With Senate Committee Amendment No. 1

*Senate Committee Amendment No. 1*

AMEND House Bill No. 1814, Page 4, Section 455.504, Line 25, by inserting immediately after said line the following:

“488.610. Notwithstanding any other law to the contrary, **no victim of the crime of domestic assault, as defined in sections 565.072 to 565.074, no victim of the crime of stalking, as defined in section 565.225, and** no victim, as defined in section 595.010, RSMo, shall be required to pay the costs associated with the filing of criminal charges against the offender, or the costs associated with the **filing, issuance, registration** or service of a warrant, protection order, **petition for protection order** or witness subpoena [associated with a domestic violence offense].”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

**MESSAGE FROM THE GOVERNOR**

EXECUTIVE OFFICE  
April 29, 2002

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
SECOND REGULAR SESSION  
91ST GENERAL ASSEMBLY  
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1115** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2002.

On April 29, 2002, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1115**.

Respectfully submitted,

/s/ Bob Holden  
Governor

**ADJOURNMENT**

On motion of Representative Boykins, the House adjourned until 10:00 a.m., Wednesday, May 1, 2002.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixtieth Day, Monday, April 29, 2002, pages 1382 and 1383, roll call, by showing Representative Cunningham voting "aye" rather than "absent with leave".

Pages 1382 and 1383, roll call, by showing Representative Kelly (144) voting "aye" rather than "absent with leave".

Pages 1382 and 1383, roll call, by showing Representatives Barry and Paone voting "no" rather than "absent with leave".

**COMMITTEE MEETINGS**

CONFERENCE COMMITTEE - APPROPRIATIONS  
Wednesday, May 1, 2002, 7:30 a.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

CONFERENCE COMMITTEE - APPROPRIATIONS  
Wednesday, May 1, 2002, 7:30 p.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

CONFERENCE COMMITTEE - APPROPRIATIONS  
Thursday, May 2, 2002, 7:30 a.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

CONFERENCE COMMITTEE - APPROPRIATIONS  
Thursday, May 2, 2002. Hearing Room 3 upon adjournment.  
Bills in conference. SCS HCS HBs 1101 through 1112.

CONFERENCE COMMITTEE - APPROPRIATIONS

Friday, May 3, 2002, 8:30 a.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

CONFERENCE COMMITTEE - APPROPRIATIONS

Sunday, May 5, 2002, 2:00 p.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, May 2, 2002, 9:00 a.m. Hearing Room 5.  
Public Hearing to be held on: SB 1059

ENVIRONMENT AND ENERGY

Thursday, May 2, 2002, 8:30 a.m. Hearing Room 7.  
Executive session may follow.  
Public Hearing to be held on: SB 984

LABOR

Wednesday, May 1, 2002. Side gallery upon morning recess.  
Executive Session to be held on: SCR 41

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 1, 2002, 9:15 a.m. Hearing Room 6. CANCELLED.  
Executive Session to be held on: SB 894

TRANSPORTATION

Wednesday, May 1, 2002, 8:30 a.m. Hearing Room 7. AMENDED NOTICE.  
Executive Session to follow.  
Public Hearing to be held on: SB 721, SB 915

WAYS AND MEANS

Wednesday, May 1, 2002, 9:45 a.m. Side gallery.  
Executive Session.

**HOUSE CALENDAR**

SIXTY-SECOND DAY, WEDNESDAY, MAY 1, 2002

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 1120 - Green (73)
- 2 HB 1121 - Green (73)



**HOUSE BILLS FOR PERFECTION**

- 1 HB 1916 - Franklin
- 2 HCS HB 1231 - Harding
- 3 HB 2097 - Copenhaver
- 4 HCS HB 1318 - George
- 5 HCS HB 1576 - Hilgemann
- 6 HCS HB 1914 - Mays (50)
- 7 HB 2137 - Crump
- 8 HCS HB 1680 - Hampton
- 9 HB 1708 - Daus
- 10 HB 1427 - Hosmer
- 11 HCS HB 1863 - Whorton
- 12 HCS HB 1923 - Barry
- 13 HB 1813 - Monaco
- 14 HB 1530 - Hoppe
- 15 HB 1721 - Shelton
- 16 HB 1211 - Smith
- 17 HB 1191 - Davis
- 18 HB 1198 - Graham
- 19 HB 1794, HCA 1 - Legan
- 20 HCS HB 1570 - Koller
- 21 HCS HB 1780 - Green (73)
- 22 HCS HB 1445 - Smith
- 23 HB 1663 - Seigfreid
- 24 HB 1596 - Harding
- 25 HB 1084 - Fraser
- 26 HCS HB 1321 & 1491 - Williams
- 27 HCS HB 1723 - Boucher
- 28 HB 1485 - Johnson (90)
- 29 HB 1439, HCA 1 - Myers
- 30 HB 1970 - Townley
- 31 HB 1052 - Ward
- 32 HCS HB 1725 - Walton
- 33 HB 1609 - Robirds
- 34 HCS HB 1828 - Cunningham
- 35 HCS HB 1407 - Riback Wilson (25)
- 36 HCS HB 1889 & 1946 - Foley
- 37 HCS HB 2065 - Ransdall
- 38 HCS HB 1077, 1187 & 1579 - Jolly
- 39 HCS HB 1599 - Lawson

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker
- 3 HB 2160 - Britt

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HB 1594, (Fiscal Review 4-29-02) - Gratz
- 3 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 4 HS HB 1307 - Williams

**HOUSE BILL FOR THIRD READING - CONSENT - INFORMAL**

HB 2155 - Willoughby

**SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 46, (4-30-02) (Dougherty) - Johnson (61)
- 2 SCR 37, (4-30-02) (Dougherty) - Johnson (61)
- 3 SCR 36, (4-30-02) (Bentley) - Davis
- 4 SCS SCR 47, (4-30-02) (Childers) - Gaskill
- 5 SCR 54, (4-30-02) (Sims) -

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 HCS SB 992, (Johnson) - Rizzo
- 3 SB 1124, (Dougherty) - Gambaro
- 4 SCS SB 804, (DePasco) - Sanders Brooks
- 5 SB 639, (Caskey) - Williams
- 6 SCS SB 997, (Quick) - Willoughby
- 7 SCS SB 1132, (Kennedy) - Daus
- 8 SB 708, (Mathewson) - Lawson
- 9 SB 701, (Wiggins) - Lowe
- 10 SB 742, (Caskey) - Monaco
- 11 HCS SCS SB 1210, (Johnson) - Lawson
- 12 SB 1247, (Quick) - Willoughby
- 13 SB 1001, (Mathewson) - Crump
- 14 HCS SB 1078, (Kennedy) - Hoppe

- 15 SB 941, (DePasco) - Mays (50)
- 16 HCS SB 695, (Dougherty) - Barry
- 17 HCS SB 962, (Wiggins) - Jolly
- 18 HCS SB 1119, (Johnson) - Kelly (27)
- 19 SB 1217, (Coleman) - Boykins
- 20 SCS SB 967, (Kennedy) - Hagan-Harrell
- 21 SB 1243, (Johnson) - McKenna
- 22 HCS SCS SB 1212, (Mathewson) - Ransdall
- 23 SB 1041, HCAs 1, 2 & 3 (Russell) - Gratz
- 24 SB 1168, HCA 1 (Russell) - Gratz
- 25 SB 974, (Childers) - Koller
- 26 HCS SB 1251, (Gibbons) - Monaco
- 27 SCS SB 1163, (Steelman) - Ransdall
- 28 SB 720, (Westfall) - Hoppe
- 29 HCS SB 714, (Singleton) - Barry
- 30 SCS SB 729, (Yeckel) - Luetkenhaus
- 31 SB 891, (Kenney) - Rizzo
- 32 HCS SB 932, (Klarich) - Smith
- 33 SCS SB 1015, (Foster) - Relford
- 34 SCS SB 1071, (Klindt) - Lawson
- 35 HCS SB 1094, (Russell) - Green (73)
- 36 SB 1048, (Kenney) - Reinhart
- 37 SB 1028, (Russell) - Luetkemeyer
- 38 SB 812, (Russell) - Holand
- 39 SB 726, (Childers) - Gaskill
- 40 SB 865, (Foster) - Myers
- 41 SCS SB 918, (Klarich) - Linton
- 42 HCS SB 1102, (Westfall) - Hosmer
- 43 SB 1109, (Yeckel) - Portwood
- 44 HCS SCS SB 947, (Klindt) - Farnen
- 45 SCS SB 1207, (Bentley) - Holand
- 46 SCS SB 1151, (Kinder) - Myers
- 47 HCS SCS SB 980, (Singleton) - Hunter
- 48 SCS SB 874, (Bentley) - Franklin
- 49 HCS SB 1186, (Kenney) - Hoppe
- 50 SCS SB 1182, (Singleton) - Barry
- 51 HCS SCS SB 1202, E.C. (Westfall) - Koller
- 52 HCS SB 758, (Bentley) - Hosmer
- 53 SCS SB 1024, (Bentley) - Holand
- 54 SB 976, (Steelman) - Portwood
- 55 SB 644, (Mathewson) - Davis
- 56 SCS SB 1241, 1253 & 1189, (Coleman) - Boykins
- 57 SCS SB 966, (Kennedy) - Gambaro
- 58 SB 798, (Westfall) - Ross
- 59 SCS SB 745, (Russell) - Kelly (144)

- 60 HCS SB 950, (Gibbons) - Griesheimer
- 61 SB 1199, HCA 1 (Foster) - Bearden
- 62 HCS SCS SB 960, (Kenney) - O'Connor
- 63 HCS SCS SB 1093, (Loudon) - Hilgemann
- 64 SB 831, (Loudon) - Gambaro
- 65 HCS SCS SB 957, (Loudon) - Reid
- 66 SCS SB 656, (Rohrbach) - Luetkenhaus
- 67 HCS SCS SB 737, (Cauthorn) - Berkowitz

#### **SENATE BILLS FOR THIRD READING**

- 1 HS SB 1220, as amended (Sims) - O'Toole
- 2 SS SCS SB 959, E.C. (Kenney) - Rizzo
- 3 HCS SS SB 1248, E.C. (Mathewson) - Foley
- 4 HCS SS SS SCS SB 970, 968, 921, 867, 868 & 738, (Westfall) - Koller
- 5 HCS SB 895, (Yeckel) - Liese
- 6 HCS SS SCS SB 675, E.C. (Yeckel) - Seigfreid
- 7 SS SCS SB 884, (DePasco) - Liese
- 8 HCS SCS SB 810, (Dougherty) - Ladd Baker
- 9 HCS SCS SB 712, E.C. (Singleton) -
- 10 HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith
- 11 HCS SCS SB 1070, (Gibbons) - Hosmer

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 HB 1814, SCA 1 - Monaco
- 2 HB 1768, SCA 1 - Hosmer

#### **BILL CARRYING REQUEST MESSAGES**

SCS HB 2120, (Request Senate recede/grant conference) - Ridgeway

#### **BILLS IN CONFERENCE**

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall

- 8 SCS HCS HB 1108 - Kelly (27)
- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)
- 11 SCS HCS HB 1111, as amended - Troupe
- 12 SCS HCS HB 1112 - Bonner
- 13 HCS HB 1711, E.C., as amended - Graham

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-SECOND DAY, WEDNESDAY, MAY 1, 2002

Speaker Kreider in the Chair.

Prayer by Representative Jim Kreider, Speaker of the House.

Oh! Almighty and Everlasting God, Creator of Heaven, Earth and the Universe. Help me to be, to think, to act what is right, because it is right; make me truthful, honest and honorable in all things; make me intellectually honest for the sake of right and honor and without thought of reward to me.

Give me the ability to be charitable, forgiving and patient with my fellowmen - help me to understand their motives and their shortcomings - even as Thou understandest mine! Amen, Amen, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: David Goddard, Kelly Stumpf, Jasmine Moore, Kendrell Townsel, Christopher Smith, Keyonte King, Vahava Florans, Nechama Dina Simon, Rochel Halle, Rachel Axelbaum, Bracha Sarah Pentelnik, Shulamis List, Chaya Mushka Huber, Gage Henry, Lydia-Rae Rice, Tim Work, Nikkita Joseph and Edjuan Smith.

The Journal of the sixty-first day was approved as corrected by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

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NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Richardson	Roark
Robirds	Ross	Schwab	Scott	Shields
Shoemaker	St. Onge	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 006

Berkstresser	Curls	Lawson	Reid	Ridgeway
Secrest				

VACANCIES: 001

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1718 - Representative Lograsso  
House Resolution No. 1719 - Representative Kelly (36)  
House Resolution No. 1720 - Representative Ostmann  
House Resolution No. 1721  
through  
House Resolution No. 1725 - Representative Lograsso, et al  
House Resolution No. 1726  
and  
House Resolution No. 1727 - Representative Carnahan  
House Resolution No. 1728 - Representative Copenhaver  
House Resolution No. 1729 - Representative Shoemaker (8)  
House Resolution No. 1730  
through  
House Resolution No. 1733 - Representative May (149)

### COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1777** and **HB 1988**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1868**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

### PERFECTION OF HOUSE BILLS

**HB 2097**, relating to weights and measures, was placed on the Informal Calendar.

**HCS HB 1576**, relating to property tax: assessment and levy, was placed on the Informal Calendar.

**HB 2137**, relating to compensation for county treasurers, was placed on the Informal Calendar.

### HOUSE BILL WITH SENATE AMENDMENT

**HB 1768, with Senate Committee Amendment No. 1**, relating to judgement liens, was taken up by Representative Hosmer.

On motion of Representative Hosmer, the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Franklin	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Wilson 25
Wilson 42	Wright	Mr. Speaker		



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NOES: 002

Clayton                      Troupe

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Berkstresser	Brooks	Cierpiot	Curls
Enz	Foley	Gambaro	Green 73	Harlan
Hohulin	Lograsso	O'Toole	Paone	Richardson
Secrest	Willoughby			

VACANCIES: 001

On motion of Representative Hosmer, **HB 1768, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Ward	Whorton
Williams	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 021

Barry 100	Berkstresser	Boykins	Brooks	Clayton
Crowell	Curls	Foley	Franklin	Harlan
Hickey	Kelly 144	Lograsso	Long	O'Toole
Reid	Richardson	Robirds	Secrest	Walton
Willoughby				

VACANCIES: 001

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel assumed the Chair.

### THIRD READING OF HOUSE BILL

**HS HB 1307**, relating to watercraft regulations, was taken up by Representative Williams.

On motion of Representative Williams, **HS HB 1307** was read the third time and passed by the following vote:

AYES: 110

Abel	Barnett	Barry 100	Bartelsmeyer	Bearden
Bland	Bonner	Boucher	Bowman	Boykins
Britt	Burton	Campbell	Carnahan	Champion
Copenhaver	Crump	Cunningham	Daus	Davis
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 36	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	Mays 50	McKenna	Miller	Monaco
Moore	Murphy	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Quinn	Ransdall	Reid
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Scott	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Wilson 25	Wilson 42	Mr. Speaker

NOES: 040

Ballard	Barnitz	Bartle	Behnen	Berkowitz
Black	Boatright	Burcham	Byrd	Cierpiot
Clayton	Cooper	Crawford	Crowell	Dempsey
Froelker	Griesheimer	Hampton	Hohulin	Jetton
Kelly 144	Kelly 27	King	Marble	May 149

Mayer	Merideth	Myers	Nordwald	Portwood
Purgason	Rector	Ridgeway	Roark	Schwab
Shoemaker	Smith	Troupe	Villa	Wright

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Berkstresser	Bray 84	Brooks	Curls
Foley	Lograsso	Naeger	O'Toole	Richardson
Secrest	Willoughby			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### **PERFECTION OF HOUSE BILLS - APPROPRIATIONS**

**HCS HB 1120**, relating to appropriations, was taken up by Representative Green (73).

Representative Kelly (27) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1120, Page 1, Section 20.005, Line 4, by adding after said line one new section to read as follows:

**“Section 20.010 To the Office of Administration**

**For the Department of Corrections**

**For planning and design of community corrections centers**

**The Joint Committee on Corrections shall be notified to review the community corrections centers pilot plan and funding source prior to design and site location**

**From Federal Funds ..... \$540,000”.**

On motion of Representative Kelly (27), **House Amendment No. 1** was adopted.

On motion of Representative Green (73), **HCS HB 1120, as amended**, was adopted.

On motion of Representative Green (73), **HCS HB 1120, as amended**, was ordered perfected and printed.

**HB 1121**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HB 1121** was ordered perfected and printed.

### **PERFECTION OF HOUSE BILL - INFORMAL**

**HB 2097**, relating to weights and measures, was taken up by Representative Copenhaver.

Representative Froelker offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 2097, Page 11, Section 413.227, Line 18, by placing brackets around the words “general revenue fund of the state” and inserting before the period on said line the following: “**state school moneys fund**”.

On motion of Representative Froelker, **House Amendment No. 1** was adopted.

On motion of Representative Copenhaver, **HB 2097, as amended**, was ordered perfected and printed.

**HB 1916**, relating to the Kansas City school board elections, was taken up by Representative Franklin.

Representative Holand offered **House Amendment No. 1**.

Representative Franklin raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

**HB 1916** was placed on the Informal Calendar.

**HB 2137**, relating to compensation for county treasurers, was taken up by Representative Crump.

On motion of Representative Crump, **HB 2137** was ordered perfected and printed.

**HCS HB 1576**, relating to property tax: assessment and levy, was taken up by Representative Hilgemann.

Representative Treadway offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1576, Page 1, Section A, Line 3, by inserting after said line the following:

**"67.2110. 1. This section shall be known as the 'Homeowners' Protection Act'".**

**2. Any county with a charter form of government and with more than one million inhabitants may, by a majority vote of its governing body, impose a county earnings tax or income tax, for the purpose of refunding real property taxes to taxpayers sixty-two years of age and older on their owner-occupied real property pursuant to this section in such county in accordance with this section; provided, however, that no ordinance or order enacted pursuant to the authority granted by this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose an earnings tax or income tax in lieu of owner-occupied homestead property taxes imposed pursuant to this section.**

**3. The ballot of submission shall contain, but need not be limited to, the following language:**

Shall the county of ..... (county's name) eliminate all tax levies on owner-occupied homestead property by school districts and impose in lieu thereof a countywide (earnings/income) tax of ..... (insert amount)?

☐ Yes

☐ No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the earnings tax or income tax and eliminate the owner-occupied homestead property tax imposed by school districts pursuant to this section unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the earnings tax or income tax and eliminate the owner-occupied homestead property tax imposed by school districts pursuant to this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. The earnings tax or income tax shall be imposed at a rate to produce from all taxable earnings or income at least five percent above the amount of tax revenue projected by the county to be produced in the following year from tax levies on owner-occupied homestead property by residents sixty-two years of age and older.

4. Any county imposing an earnings or income tax pursuant to this section shall reimburse residents sixty-two years of age and older for the amount of real property taxes paid on the owner-occupied homestead property."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative St. Onge raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Ward offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1  
to  
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1576, Page 1, Section 67.2110, Lines 3-4, by inserting an opening bracket (l) after the word "country" and inserting a closing bracket (l) after the word "inhabitants".

On motion of Representative Ward, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Portwood offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1576 by inserting in the appropriate location the following:

**"137.102. 1. This act shall be known and may be cited as "The Missouri Homestead Preservation Act."**

**2. Notwithstanding any provision of law to the contrary, the assessed value of residential property, excluding any value added by new construction or improvements, which is owned by any person who is under sixty-five years of age and who uses such property as a homestead, or owned by any person who is sixty-five years of age or older who has used such property as a homestead for a period of less than five years, shall not increase during any two-year reassessment period by more than five percent.**

**3. The assessed value of residential property, excluding any value added by new construction or improvements, which is owned by any person who is sixty-five years of age or older and who has used such property as a homestead shall not increase during the period of time such person resides on that property after attaining the age of sixty-five years."; and**

Further amend the title, enacting clause and intersectional references accordingly.

**HCS HB 1576, with House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 1, as amended, pending, was laid over.**

On motion of Representative Crump, the House recessed until 2:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1734 - Representative Overschmidt  
House Resolution No. 1735 - Representative Ransdall  
House Resolution No. 1736 - Representative Gambaro  
House Resolution No. 1737 - Representative Froelker  
House Resolution No. 1738 - Representative Hegeman  
House Resolution No. 1739 - Representative Reinhart  
House Resolution No. 1740  
through  
House Resolution No. 1742 - Representative Kreider  
House Resolution No. 1743 - Representative Bartelsmeyer

**THIRD READING OF SENATE BILLS - CONSENT**

**HCS SB 992**, relating to property development, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HCS SB 992** was adopted.

On motion of Representative Rizzo, **HCS SB 992** was read the third time and passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Hohulin	Murphy	Purgason	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Berkstresser	Boykins	Burton	Cierpiot
Curls	Franklin	Harlan	Holt	Lograsso
Secrest	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SB 1210**, relating to taxes for promotion of tourism, was taken up by Representative Lawson.

On motion of Representative Lawson, **HCS SCS SB 1210** was adopted.

On motion of Representative Lawson, **HCS SCS SB 1210** was read the third time and passed by the following vote:

AYES: 121

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crawford	Crump	Daus
Davis	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Ransdall	Reinhart
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Thompson	Townley	Treadway
Villa	Vogel	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 031

Ballard	Behnen	Boatright	Burcham	Byrd
Cierpiot	Cooper	Crowell	Cunningham	Dempsey
Enz	Hanaway	Hendrickson	Hohulin	Hunter
Jetton	Kelly 144	Liese	Linton	Marsh
Moore	Portwood	Purgason	Quinn	Rector
Reid	Ridgeway	Roark	St. Onge	Surface
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Berkstresser	Boykins	Burton	Curls	Harlan
Lograsso	Secrest	Troupe	Van Zandt	Wagner

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 695**, relating to children's trust fund board, was taken up by Representative Barry.

On motion of Representative Barry, **HCS SB 695** was adopted.



On motion of Representative Barry, **HCS SB 695** was read the third time and passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 006

Crowell	Hohulin	Hunter	Merideth	Murphy
Roark				

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Berkstresser	Boykins	Burton	Curls
Franklin	Harlan	Kelly 144	Lograsso	Ridgeway
Secrest	Troupe	Van Zandt	Wagner	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 962**, relating to election authority verification boards, was taken up by Representative Jolly.

On motion of Representative Jolly, **HCS SB 962** was adopted.

On motion of Representative Jolly, **HCS SB 962** was read the third time and passed by the following vote:

AYES: 142

Abel	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Ballard	Barnitz	Berkstresser	Boykins
Burton	Byrd	Curls	Franklin	Harlan
Hickey	Kelly 144	Lograsso	Ostmann	Relford
Secrest	Troupe	Van Zandt	Wagner	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 1078**, relating to county recorder of deeds, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HCS SB 1078** was adopted.

On motion of Representative Hoppe, **HCS SB 1078** was read the third time and passed by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Crump	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 012

Bowman	Burcham	Cooper	Cunningham	Hohulin
Hunter	Murphy	Myers	Purgason	Reid
Townley	Troupe			

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Berkstresser	Boykins	Curls	Franklin
Harlan	Hosmer	Kelly 144	Secrest	Shields
Van Zandt	Wagner			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 1119**, relating to state facilities, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **HCS SB 1119** was adopted.

On motion of Representative Kelly (27), **HCS SB 1119** was read the third time and passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 007

Behnen	Burcham	Murphy	Myers	Roark
Townley	Troupe			

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Berkstresser	Boykins	Clayton	Curls
Franklin	Harlan	Hohulin	Hunter	Kelly 144
Lograsso	Naeger	Rizzo	Secrest	Van Zandt
Wagner				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SB 1212**, relating to the National Guard, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **HCS SCS SB 1212** was adopted.

On motion of Representative Ransdall, **HCS SCS SB 1212** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Treadway	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Berkstresser	Boykins	Curls	Franklin
Harlan	Hickey	Kelly 144	Legan	Lograsso
Mays 50	Nordwald	O'Connor	Secrest	Van Zandt
Wagner				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SB 1041, with House Committee Amendment No. 1, House Committee Amendment No. 2 and House Committee Amendment No. 3**, relating to property conveyances, was taken up by Representative Gratz.

On motion of Representative Gratz, **House Committee Amendment No. 1, House Committee Amendment No. 2 and House Committee Amendment No. 3** were adopted.

On motion of Representative Gratz, **SB 1041, as amended**, was read the third time and passed by the following vote:

AYES: 112

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Copenhaver	Crawford	Crump	Davis
Farnen	Foley	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	King	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 041

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Boatright	Byrd	Cooper	Crowell	Cunningham
Daus	Dempsey	Dolan	Enz	Fares
Fraser	Froelker	Griesheimer	Hanaway	Hegeman
Henderson	Hendrickson	Hohulin	Hunter	Jetton
Kelley 47	Kelly 144	Linton	Marsh	Mayer
Murphy	Naeger	Nordwald	Portwood	Purgason
Roark	Shoemaker	St. Onge	Treadway	Troupe
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Berkstresser	Boykins	Curls	Franklin	Harlan
Koller	Lograsso	Secrest	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SB 1168, with House Committee Amendment No. 1**, relating to conveyances in Laclede County, was taken up by Representative Gratz.

On motion of Representative Gratz, **House Committee Amendment No. 1** was adopted.

On motion of Representative Gratz, **SB 1168, as amended**, was read the third time and passed by the following vote:

AYES: 115

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crump
Daus	Davis	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	McKenna
Merideth	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Ransdall	Relford	Reynolds
Richardson	Rizzo	Robirds	Scheve	Scott
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walker	Ward
Whorton	Williams	Willoughby	Wilson 42	Mr. Speaker

NOES: 038

Bartle	Behnen	Boatright	Burton	Byrd
Cooper	Crowell	Cunningham	Dempsey	Dolan
Enz	Hanaway	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Marsh	Mays 50
Miller	Murphy	Phillips	Purgason	Quinn
Rector	Reid	Reinhart	Ridgeway	Roark
Ross	Schwab	Shields	Shoemaker	St. Onge
Troupe	Walton	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Ballard	Berkstresser	Boykins	Curls	Harlan
Lograsso	Secrest	Van Zandt	Wilson 25	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 1251**, relating to designating next of kin, was taken up by Representative Monaco.

On motion of Representative Monaco, **HCS SB 1251** was adopted.

On motion of Representative Monaco, **HCS SB 1251** was read the third time and passed by the following vote:

AYES: 145

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Crowell	Hunter	Murphy	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Ballard	Bray 84	Crump	Curls
Harlan	Hohulin	Nordwald	Secrest	Troupe
Van Zandt	Wagner	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.



**HCS SB 714**, relating to licenses for health care professionals, was taken up by Representative Barry.

On motion of Representative Barry, **HCS SB 714** was adopted.

On motion of Representative Barry, **HCS SB 714** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Townley

PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Boykins	Curls	Harlan	Hohulin
Lograsso	Long	McKenna	Nordwald	Paone
Secrest	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 932**, relating to landlord tenant notice provisions, was taken up by Representative Smith.

On motion of Representative Smith, **HCS SB 932** was adopted.

On motion of Representative Smith, **HCS SB 932** was read the third time and passed by the following vote:

AYES: 142

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Crawford	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 009

Ballard	Byrd	Cooper	Crowell	Hunter
Mayer	Murphy	Ridgeway	Shoemaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Boykins	Cierpiot	Copenhaver	Curls	Harlan
Hohulin	Lograsso	Ostmann	Paone	Secrest
Van Zandt				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 1094**, relating to long-term care programs, was taken up by Representative Ladd Baker.

On motion of Representative Ladd Baker, **HCS SB 1094** was adopted.

On motion of Representative Ladd Baker, **HCS SB 1094** was read the third time and passed by the following vote:

AYES: 131

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Campbell	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	Koller	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
May 149	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Reid	Reinhart
Relford	Reynolds	Rizzo	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 023

Bartelsmeyer	Bartle	Berkstresser	Burcham	Byrd
Hohulin	Hunter	Jetton	Linton	Lograsso
Long	Marsh	Mayer	Murphy	Purgason
Rector	Richardson	Ridgeway	Roark	Robirds
Ross	Shoemaker	Townley		

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot	Curls	Harlan	King	Lawson
Naeger	Secrest	Van Zandt		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 1102**, relating to nuisance, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS SB 1102** was adopted.

On motion of Representative Hosmer, **HCS SB 1102** was read the third time and passed by the following vote:

AYES: 136

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Champion	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Koller	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 011

Byrd	Hegeman	Hohulin	Hunter	Lograsso
Murphy	Purgason	Rector	Ridgeway	Shoemaker
St. Onge				

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Berkstresser	Boykins	Carnahan	Cierpiot
Crump	Curls	Harlan	King	Lawson
Long	Naeger	Secrest	Townley	Van Zandt

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SB 947**, relating to community colleges, was taken up by Representative Farnen.

On motion of Representative Farnen, **HCS SCS SB 947** was adopted.

On motion of Representative Farnen, **HCS SCS SB 947** was read the third time and passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Hohulin	Roark	St. Onge
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PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Berkstresser	Crump	Curls	Franklin
Gaskill	Hosmer	Koller	Secrest	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SB 980**, relating to physical therapy, was taken up by Representative Hunter.

On motion of Representative Hunter, **HCS SCS SB 980** was adopted.

On motion of Representative Hunter, **HCS SCS SB 980** was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 004

Burcham	Clayton	Gratz	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Curls	Franklin	Gaskill	Green 73
Harlan	Hohulin	Linton	Long	Secrest

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SB 1186**, relating to political subdivisions, was taken up by Representative Hoppe.

Representative Lograsso raised a point of order that **HCS SB 1186** is not a true substitute.

The Chair ruled the point of order well taken.

Representative Hoppe moved that **SB 1186** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 023

Abel	Barnett	Barry 100	Berkstresser	Britt
Burcham	Campbell	Carnahan	Crawford	Graham
Green 15	Green 73	Hagan-Harrell	Hartzler	Hollingsworth
Hosmer	Lawson	Overschmidt	Robirds	St. Onge
Troupe	Wagner	Mr. Speaker		

NOES: 127

Ballard	Barnitz	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Brooks	Burton	Byrd	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crowell	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Gratz	Griesheimer	Hampton
Hanaway	Harding	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Crump	Curls	Franklin	Gaskill
Harlan	Hohulin	Kelly 27	Long	Paone
Secrest	Van Zandt			

VACANCIES: 001

Representative Britt assumed the Chair.

**HCS SCS SB 1202**, relating to motor carrier services unit, was taken up by Representative Koller.

On motion of Representative Koller, **HCS SCS SB 1202** was adopted.

On motion of Representative Koller, **HCS SCS SB 1202** was read the third time and passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Barry 100	Byrd	Curls	Franklin
Harlan	Henderson	Kelly 27	Purgason	Ridgeway
Scheve	Secrest	Van Zandt	Williams	

VACANCIES: 001



Representative Britt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Schwab	Scott	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 009

Hegeman	Hendrickson	Hohulin	Hunter	Murphy
Rector	Reid	Roark	Townley	

PRESENT: 000

ABSENT WITH LEAVE: 012

Barry 100	Curls	Franklin	Harlan	Henderson
Lograsso	Ridgeway	Scheve	Secrest	Seigfreid
Van Zandt	Williams			

VACANCIES: 001

Speaker Kreider resumed the Chair.

**HCS SB 758**, relating to sex offender registration, was taken up by Representative Hosmer.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambara
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Hendrickson	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Walker	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Curls	Henderson	Holand	Linton	Lograsso
Long	Nordwald	Secrest		

VACANCIES: 001

On motion of Representative Hosmer, **HCS SB 758** was adopted by the following vote:

## 1507 *Journal of the House*

AYES: 131

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Boykins
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Hegeman	Hendrickson
Hickey	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Relford	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Selby
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 016

Bland	Bowman	Brooks	Cierpiot	Froelker
Haywood	Johnson 61	Jones	Murphy	Reynolds
Ridgeway	Shelton	Thompson	Troupe	Walker
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Ballard	Curls	Harlan	Henderson
Hilgemann	Hosmer	Lawson	Linton	Lograsso
Long	Naeger	Reinhart	Secrest	Seigfreid

VACANCIES: 001

On motion of Representative Hosmer, **HCS SB 758** was read the third time and passed by the following vote:

AYES: 130

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Britt	Burcham	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Farnen
Foley	Franklin	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walton	Ward
Whorton	Williams	Willoughby	Wright	Mr. Speaker

NOES: 019

Bland	Bowman	Boykins	Bray 84	Brooks
Cierpiot	Fraser	Haywood	Johnson 61	Jones
Murphy	Phillips	Reynolds	Ridgeway	Shelton
Troupe	Walker	Wilson 25	Wilson 42	

PRESENT: 001

Hilgemann

ABSENT WITH LEAVE: 012

Byrd	Curls	Fares	Harlan	Hunter
Jetton	Linton	Lograsso	Long	Moore
Nordwald	Secrest			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS SB 950**, relating to naming a corridor, was taken up by Representative Griesheimer.

On motion of Representative Griesheimer, **HCS SB 950** was adopted.

On motion of Representative Griesheimer, **HCS SB 950** was read the third time and passed by the following vote:

## 1509 *Journal of the House*

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Franklin Naeger

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bartelsmeyer	Carnahan	Crump	Curls
Graham	Harlan	Linton	Lograsso	Long
Nordwald	Purgason	Secrest	Van Zandt	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**SB 1199, with House Committee Amendment No. 1**, relating to Sergeant Randy Sullivan Memorial Highway, was taken up by Representative Bearden.

On motion of Representative Bearden, **House Committee Amendment No. 1** was adopted.

On motion of Representative Bearden, **SB 1199, as amended**, was read the third time and passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Curls	Graham	Harlan	Hartzler
Haywood	Hosmer	Kelley 47	Linton	Long
Nordwald	Secrest	Wagner		

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS SCS SB 960**, relating to special license plates, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HCS SCS SB 960** was adopted by the following vote:

## 1511 *Journal of the House*

AYES: 109

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Clayton
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Legan	Liese	Lograsso	Lowe	Luetkenhaus
Mays 50	McKenna	Monaco	Murphy	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Portwood
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Scott	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 42	

NOES: 039

Ballard	Bartelsmeyer	Bartle	Black	Boatright
Burcham	Byrd	Cooper	Crawford	Crowell
Froelker	Hartzler	Hohulin	Hunter	Kelly 144
King	Koller	Luetkemeyer	Marble	Marsh
May 149	Mayer	Merideth	Miller	Moore
Myers	Naeger	Nordwald	Phillips	Purgason
Quinn	Rector	Roark	Schwab	Shoemaker
Townley	Wilson 25	Wright	Mr. Speaker	

PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 012

Baker	Berkstresser	Cierpiot	Curls	Harlan
Hollingsworth	Kelley 47	Lawson	Linton	Long
Secrest	Shields			

VACANCIES: 001

On motion of Representative O'Connor, **HCS SCS SB 960** was read the third time and passed by the following vote:

AYES: 121

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Lawson	Legan	Liese
Lograsso	Lowe	Luetkenhaus	Marsh	Mays 50
McKenna	Monaco	Murphy	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 42				

NOES: 030

Bartelsmeyer	Black	Boatright	Burcham	Byrd
Crawford	Crowell	Hohulin	Hunter	Kelly 144
King	Koller	Luetkemeyer	Marble	May 149
Mayer	Merideth	Miller	Moore	Myers
Nordwald	Purgason	Quinn	Rector	Roark
Shoemaker	Townley	Wilson 25	Wright	Mr. Speaker

PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 009

Baker	Ballard	Curls	Harlan	Kelley 47
Linton	Long	Secrest	Van Zandt	

VACANCIES: 001

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

Representative Lograsso, having voted on the prevailing side, moved that the vote by which **SB 1186** was defeated, be reconsidered.

Which motion was adopted by the following vote:



## 1513 *Journal of the House*

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crump
Cunningham	Daus	Davis	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lograsso	Lowe	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 012

Ballard	Byrd	Cooper	Crowell	Dempsey
Hendrickson	Hohulin	Hunter	Luetkemeyer	May 149
Murphy	Roark			

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Curts	Harlan	Kelley 47	Linton
Long	McKenna	Nordwald	Secrest	Seigfreid
Van Zandt				

VACANCIES: 001

Representative Lograsso moved that **SB 1186** be recommitted to the Committee on Local Government and Related Matters.

Which motion was adopted by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Copenhaver	Crawford	Crump
Cunningham	Daus	Davis	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Myers
Naeger	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 008

Byrd	Cooper	Crowell	Dempsey	Hohulin
Hunter	Murphy	Roark		

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Cierpiot	Curls	Franklin	Harlan
Hollingsworth	Kelley 47	Linton	Long	McKenna
Nordwald	O'Connor	Paone	Secrest	Seigfreid
Van Zandt				

VACANCIES: 001

**HCS SCS SB 1093**, relating to historic vehicles, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **HCS SCS SB 1093** was adopted.

On motion of Representative Hilgemann, **HCS SCS SB 1093** was read the third time and passed by the following vote:

1515 *Journal of the House*

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Cierpiot	Clayton	Curls	Franklin
Green 73	Harlan	Hollingsworth	Kelley 47	Linton
Lograsso	Nordwald	O'Connor	Ostmann	Paone
Relford	Secrest	Townley	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SB 957**, relating to special license plates, was taken up by Representative Reid.

On motion of Representative Reid, **HCS SCS SB 957** was adopted.

On motion of Representative Reid, **HCS SCS SB 957** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Wilson 25

PRESENT: 002

Copenhaver Harding

ABSENT WITH LEAVE: 016

Baker	Byrd	Curls	Franklin	Green 73
Harlan	Hollingsworth	Kelley 47	Linton	Lograsso
Ostmann	Paone	Secrest	Seigfreid	Townley
Van Zandt				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SB 737**, relating to a special license plate, was taken up by Representative Berkowitz.

On motion of Representative Berkowitz, **HCS SCS SB 737** was adopted.

On motion of Representative Berkowitz, **HCS SCS SB 737** was read the third time and passed by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Cooper	Crawford	Crowell
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Wilson 25

PRESENT: 002

Copenhaver                Harding

ABSENT WITH LEAVE: 021

Baker	Byrd	Cierpiot	Crump	Curls
Franklin	Gambaro	Gaskill	Green 73	Harlan
Hartzler	Hollingsworth	Kelley 47	Linton	Lograsso
Long	Ostmann	Paone	Secrest	Townley
Van Zandt				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SB 1124**, relating to conveyance in St. Louis City, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **SB 1124** was truly agreed to and finally passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Campbell	Carnahan	Champion
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	Koller	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 022

Baker	Brooks	Byrd	Cierpiot	Clayton
Curls	Franklin	Gaskill	Green 73	Harlan
Hollingsworth	Kelley 47	King	Linton	Lograsso
Long	Paone	Relford	Secrest	Townley
Troupe	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS SB 804**, relating to conveyances in Jackson County, was taken up by Representative Sanders Brooks.

On motion of Representative Sanders Brooks, **SCS SB 804** was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Nordwald	O'Connor	O'Toole
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Bearden	Boykins	Bray 84	Byrd
Cierpiot	Clayton	Curls	Franklin	Green 73
Harlan	Kelley 47	Linton	Lograsso	Long
Naeger	Ostmann	Paone	Secrest	Townley
Troupe	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SB 639**, relating to the manufacturing of food products, was taken up by Representative Williams.

On motion of Representative Williams, **SB 639** was truly agreed to and finally passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Boykins	Bray 84	Burton	Cierpiot
Crump	Curls	Green 73	Harlan	Holand
Hollingsworth	Kelley 47	Linton	Lograsso	Long
Ostmann	Paone	Secrest	Townley	Troupe
Van Zandt				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS SB 1132**, relating to City of St. Louis Recorder of Deeds, was taken up by Representative Daus.

On motion of Representative Daus, **SCS SB 1132** was truly agreed to and finally passed by the following vote:



## 1521 *Journal of the House*

AYES: 123

Abel	Barnitz	Barry 100	Bartelsmeyer	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Cunningham	Daus
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lowe	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 022

Ballard	Barnett	Bartle	Boatright	Burcham
Byrd	Crowell	Dempsey	Gaskill	Hegeman
Henderson	Hohulin	Luetkemeyer	Marble	Miller
Myers	Naeger	Nordwald	Purgason	Schwab
Scott	Shoemaker			

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Bray 84	Burton	Cierpiot	Crump
Curls	Green 73	Harlan	Kelley 47	Linton
Lograsso	Long	Secrest	Townley	Troupe
Van Zandt	Williams			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS SB 997**, relating to collection of property taxes, was taken up by Representative Willoughby.

On motion of Representative Willoughby, **SCS SB 997** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Berkstresser	Bray 84	Burton	Byrd
Crump	Curls	Franklin	Green 73	Harlan
Kelley 47	King	Linton	Lograsso	Long
Luetkemeyer	Mays 50	Secrest	Van Zandt	Williams

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SB 708**, relating to clean water commission, was taken up by Representative Lawson.

On motion of Representative Lawson, **SB 708** was truly agreed to and finally passed by the following vote:

## 1523 *Journal of the House*

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burcham	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Berkstresser	Bray 84	Brooks	Burton
Byrd	Crump	Curls	Franklin	Green 73
Harlan	Kelley 47	Linton	Lograsso	Long
Paone	Secrest	Troupe	Van Zandt	Williams

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SB 701**, relating to pilot licenses, was taken up by Representative Lowe.

On motion of Representative Lowe, **SB 701** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Berkstresser	Bray 84	Byrd	Crump
Curls	Franklin	Green 73	Harlan	Kelley 47
Linton	Lograsso	Long	Rector	Secrest
Shields	Van Zandt	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SB 742**, relating to trusts and estates, was taken up by Representative Monaco.

On motion of Representative Monaco, **SB 742** was truly agreed to and finally passed by the following vote:

## 1525 *Journal of the House*

AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 006

Hoppe	King	Phillips	Portwood	Purgason
Shoemaker				

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Bray 84	Brooks	Byrd	Crump
Curls	Franklin	Green 73	Harlan	Kelley 47
Linton	Lograsso	Long	Secrest	Shields
Van Zandt	Williams			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Scheve assumed the Chair.

**SB 1247**, relating to Kansas City Firefighters' Pension Fund, was taken up by Representative Willoughby.

On motion of Representative Willoughby, **SB 1247** was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 003

Haywood	Johnson 61	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Ballard	Brooks	Byrd	Curls
Franklin	Green 73	Hagan-Harrell	Harlan	Hartzler
Kelley 47	Linton	Lograsso	Long	Lowe
Murphy	O'Toole	Secrest	Van Zandt	

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 1001**, relating to sheriffs' retirement fund, was taken up by Representative Crump.

On motion of Representative Crump, **SB 1001** was truly agreed to and finally passed by the following vote:

## 1527 *Journal of the House*

AYES: 144

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Brooks	Byrd	Curls
Franklin	Green 73	Harlan	Hartzler	Kelley 47
Linton	Lograsso	Long	O'Toole	Relford
Secrest	Van Zandt	Williams		

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 941**, relating to drainage districts, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **SB 941** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Nordwald	O'Connor	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Ballard	Burton	Byrd	Curls
Graham	Gratz	Green 73	Harlan	Hartzler
Haywood	Kelley 47	Linton	Lograsso	Long
Naeger	O'Toole	Secrest	Van Zandt	Williams

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 1217**, relating to property tax: personal property tax list, was taken up by Representative Boykins.

On motion of Representative Boykins, **SB 1217** was truly agreed to and finally passed by the following vote:



AYES: 143

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Ballard	Byrd	Curls	Franklin
Graham	Gratz	Harlan	Hartzler	Haywood
Johnson 90	Kelley 47	Linton	Lograsso	Long
O'Toole	Robirds	Secrest	Van Zandt	

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCS SB 967**, relating to St. Louis police compensation, was taken up by Representative Hagan-Harrell.

On motion of Representative Hagan-Harrell, **SCS SB 967** was truly agreed to and finally passed by the following vote:

AYES: 143

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambara	Gaskill	George
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Troupe

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 017

Baker	Ballard	Byrd	Crump	Curls
Franklin	Gratz	Harlan	Hartzler	Haywood
Kelly 27	Linton	Lograsso	Long	O'Toole
Secrest	Van Zandt			

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 1243**, relating to lodging establishments, was taken up by Representative McKenna.

On motion of Representative McKenna, **SB 1243** was truly agreed to and finally passed by the following vote:

## 1531 *Journal of the House*

AYES: 117

Abel	Barnitz	Barry 100	Bartle	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Clayton	Copenhaver	Crawford	Crowell	Crump
Daus	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Henderson	Hickey
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkenhaus	Marsh
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Myers	Naeger	O'Connor	Ostmann
Overschmidt	Paone	Phillips	Portwood	Ransdall
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 033

Barnett	Bartelsmeyer	Bearden	Boatright	Burcham
Champion	Cierpiot	Cooper	Cunningham	Dempsey
Griesheimer	Hegeman	Hendrickson	Hohulin	Jetton
Kelly 144	Luetkemeyer	Marble	May 149	Moore
Murphy	Nordwald	Purgason	Quinn	Rector
Reid	Reynolds	Schwab	Scott	Shields
Shoemaker	Townley	Wright		

PRESENT: 001

Hilgemann

ABSENT WITH LEAVE: 011

Baker	Ballard	Curls	Harlan	Kelley 47
Linton	Lograsso	Long	O'Toole	Secrest
Van Zandt				

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 974**, relating to commercial motor vehicles, was taken up by Representative Gratz.

On motion of Representative Gratz, **SB 974** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Ballard	Boykins	Byrd	Curls
Harlan	Hollingsworth	Linton	Lograsso	Long
Lowe	Luetkenhaus	O'Toole	Secrest	Van Zandt

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCS SB 1163**, relating to air emissions banking and trading, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **SCS SB 1163** was truly agreed to and finally passed by the following vote:

## 1533 *Journal of the House*

AYES: 144

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Hohulin	Kelly 144	Murphy
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PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Ballard	Britt	Curls	Harlan
Hilgemann	Johnson 90	Liese	Linton	Lograsso
Long	O'Toole	Rector	Secrest	Van Zandt

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 891**, relating to transportation development district, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SB 891** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Copenhaver	Crawford
Crowell	Crump	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 006

Cooper	Cunningham	Murphy	Purgason	Reid
Roark				

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Ballard	Curls	Franklin	Hagan-Harrell
Harlan	Linton	Long	O'Toole	Secrest
Van Zandt				

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCS SB 1015**, relating to state parks, was taken up by Representative Relford.

On motion of Representative Relford, **SCS SB 1015** was truly agreed to and finally passed by the following vote:

1535 *Journal of the House*

AYES: 147

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Hendrickson Shoemaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Ballard	Curls	Hagan-Harrell	Harlan
Johnson 90	Lawson	Linton	Long	O'Connor
O'Toole	Secrest	Van Zandt		

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 720**, relating to county collectors, was taken up by Representative Legan.

On motion of Representative Legan, **SB 720** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Curls	Hagan-Harrell	Harlan
Kelley 47	Linton	Long	O'Toole	Ross
Secrest	Van Zandt			

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCS SB 1071**, relating to weights and measures, was taken up by Representative Copenhaver.

On motion of Representative Copenhaver, **SCS SB 1071** was truly agreed to and finally passed by the following vote:



## 1537 *Journal of the House*

AYES: 147

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Murphy

PRESENT: 001

Byrd

ABSENT WITH LEAVE: 013

Baker	Ballard	Crump	Curls	Harlan
Holand	Johnson 90	Kelley 47	Linton	Long
O'Toole	Secrest	Van Zandt		

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 1048**, relating to spinal cord injury fund, was taken up by Representative Reinhart.

On motion of Representative Reinhart, **SB 1048** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Curls	Harlan	Kelley 47
Linton	Lograsso	Long	O'Toole	Secrest
Skaggs	Van Zandt			

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 1028**, relating to law enforcement districts, was taken up by Representative Luetkemeyer.

On motion of Representative Luetkemeyer, **SB 1028** was truly agreed to and finally passed by the following vote:

AYES: 112

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Carnahan
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Davis	Dempsey	Dolan
Enz	Fares	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Henderson	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 90
Jolly	Jones	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Liese	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	Ostmann
Overschmidt	Phillips	Quinn	Ransdall	Rector
Reid	Reinhart	Rizzo	Roark	Robirds
Scheve	Schwab	Scott	Seigfreid	Shelton
Shields	Shoemyer	St. Onge	Surface	Thompson
Townley	Vogel	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 032

Bartelsmeyer	Bartle	Boatright	Byrd	Campbell
Champion	Cunningham	Daus	Farnen	George
Graham	Green 73	Hanaway	Hendrickson	Hickey
Hunter	Johnson 61	Lograsso	Lowe	Murphy
O'Connor	O'Toole	Portwood	Purgason	Relford
Reynolds	Ross	Selby	Shoemaker	Smith
Treadway	Villa			

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Curls	Harlan	Hilgemann
Hohulin	Kelley 47	Kelly 27	Linton	Long
Paone	Richardson	Ridgeway	Secrest	Skaggs
Troupe	Van Zandt	Wagner		

VACANCIES: 001

Representative Scheve declared the bill passed.

### APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SCS HCS HB 1103:** Representatives Green (73), Graham, Wilson (42), Bearden and Shields

**SCS HCS HB 1104:** Representatives Green (73), Bonner, Bray, Bearden and Legan

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**HCS SCS SB 810** - Fiscal Review and Government Reform (Fiscal Note)  
**SCS SBs 662 & 704** - Judiciary  
**SCS SB 892** - Miscellaneous Bills & Resolutions  
**SS SCS SB 900** - Utilities Regulation  
**SS SCS SB 1107** - Local Government and Related Matters  
**SS#2 SB 1191** - Missouri Tobacco Settlement

## COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1148** and **HB 1768**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

**Committee on Transportation**, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SBs 915, 710 & 907**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1148**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1580**, entitled:

An act to repeal sections 138.010 and 138.020, RSMo, and to enact in lieu thereof two new sections relating to county boards of equalization.

With Senate Amendment No. 1

*Senate Amendment No. 1*

AMEND House Bill No. 1580, Page 1, Section 138.010, Line 3, by deleting the brackets on said line.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1846**, entitled:

An act to repeal section 80.210, RSMo, and to enact in lieu thereof one new section relating to boards of trustees of towns and villages.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate is returning to the House **HS HCS HB 1936** per your request.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 64**.

SENATE CONCURRENT RESOLUTION NO. 64

WHEREAS, recognizing that visual development from birth through school age has sensitive and critical periods where abnormalities can lead to permanent impairments, especially in the development of binocular vision, an important part of human vision; and

WHEREAS, realizing that conditions such as strabismus (ocular misalignment) including esotropia (crossed eyes) and exotropia (outward turned eyes) occur in up to 6.7% of children prior to entering elementary school and anisometropia (significant difference in refractive prescription between the eyes) has a 1% or higher prevalence and clinically significant hyperopia (farsightedness) a prevalence of 3-6%; and

WHEREAS, The Journal of the American Public Health Association reported that 25% of Missouri's K-6 children have some kind of vision deficiency; and

WHEREAS, noting that the majority of eye and vision conditions prior to entering elementary school are not obvious on gross examination and go undetected; and

WHEREAS, noting that decreased binocular vision and depth perception can lead to problems in gross motor and fine motor development, and that uncorrected hyperopia is associated with deficits in visual perceptual skills, reading readiness, intelligence quotient, and reading achievement; and

WHEREAS, realizing that early comprehensive childhood eye care is a neglected area, that less than half of pediatricians perform even limited vision screenings, and pediatric screening, when performed, is usually limited to a light reflex test which will not detect most strabismus, hyperopia or anisometropia; and

WHEREAS, recognizing that professional organizations agree that screening under age 3 is not successful but there is ample evidence that amblyopic conditions should be detected and treated as early as possible;

NOW, THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby impel school districts to implement:

(1) The institution of a comprehensive vision screening to be performed on kindergarten age children. Such screenings should be done through the use of photorefractive technology developed by the National Aeronautics and Space Administration, and should screen for myopia, hyperopia, oblique astigmatisms, anisometropia, constant strabismus, ocular media opacities, other visible eye abnormalities, and defects that can lead to amblyopia.

(2) With the completion of such screening all children and schools would receive information detailing their screening results. Children with possible problems indicated will be directed to seek the services of an eye care professional to address their problem through a full eye examination.

(3) This screening system will begin with a pilot program for the 2002 school year. This program will be implemented in designated school districts as funding permits

(4) This pilot program will be funded through monies deposited in the “Blindness, Education Screening & Treatment Fund”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 65**.

SENATE CONCURRENT RESOLUTION NO. 65

WHEREAS, the September 11, 2001, terrorist attacks have had a substantial impact on the American economy; and

WHEREAS, insurers estimate that their losses from the attacks could reach \$70 billion; and

WHEREAS, insurance coverage on the World Trade Center and the businesses in and around the Trade Center were multi-layered, and will affect insurers of all kinds, including: property-casualty, liability, workers' compensation, business interruption, life, health and reinsurance; and

WHEREAS, insurers are concerned that they cannot adequately or accurately price insurance coverage for future catastrophes resulting from terrorism; and

WHEREAS, reinsurers are already notifying their customers that they will no longer cover terrorism risk, and primary carriers are notifying state insurance regulators that they intend to seek exclusions of terrorism coverage in their contracts with policyholders; and

WHEREAS, without adequate insurance coverage, banks may be unwilling to extend loans for commercial transactions, such as mortgages, construction projects and other capital-intensive programs; and

WHEREAS, the inability of the insurance industry to cover losses from future terrorist activities may require action by the federal government; and

WHEREAS, a federal backstop would assure an available and affordable insurance market America's consumers and businesses in these challenging times; and

WHEREAS, a federal backstop program would help to eliminate market constriction and prohibitively high prices, would facility insurance transactions necessary for commerce, and would assure the broad-based ability of families and businesses to recover from future incidences of terrorism;

WHEREAS, without a backstop, a limited availability of insurance against terrorism would have a severe adverse effect on our country's economy as financiers would be reluctant to lend, businesses would be reluctant to invest, and consumers would be unable to afford insurance;

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the members of Congress to provide for a limited and temporary backstop for insurance against terrorism; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for each member of Missouri's Congressional Delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 878**, entitled:

An act to amend chapter 209, RSMo, by adding thereto ten new sections relating to rights of persons with service animals, with penalty provisions and a severability clause.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1095**, entitled:

An act to amend chapter 650, RSMo, by adding thereto one new section relating to the establishment of the Missouri sheriff methamphetamine relief team.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1140**, entitled:

An act to repeal section 192.323, RSMo, and to enact in lieu thereof one new section relating to department of health and senior services document services fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1232**, entitled:

An act to amend chapter 233, RSMo, by adding thereto one new section relating to road districts.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1711**

The Conference Committee appointed on House Committee Substitute for House Bill No. 1711, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, and Senate Amendment No. 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Committee Substitute for House Bill No. 1711, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 1711;
3. That the attached Conference Committee Substitute for House Committee Substitute for House Bill No. 1711 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Sen. Ken Jacob  
/s/ Sen. Harold Caskey  
/s/ Sen. Roseann Bentley  
/s/ Sen. Betty Sims

**FOR THE HOUSE:**

/s/ Rep. Chuck Graham  
/s/ Rep. Richard Franklin  
/s/ Rep. D. J. Davis  
/s/ Rep. Kathlyn Fares  
/s/ Rep. Charlie Shields

**LETTER OF OBJECTION**

May 1, 2002

The Honorable Jim Kreider  
Speaker of the House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Mr. Speaker:

As a member of the House Miscellaneous Bills and Resolutions Committee, I wish to express my objection to the emergency hearing of Senate Substitute for Senate Bill 1248 on Tuesday, April 30, 2002.

The bill was assigned to the committee Tuesday morning, heard by the committee less than three hours later, and a House Committee Substitute, substantially different from the Senate bill, was approved in the same meeting. The only "good cause" identified for this hasty action was "due to budget situation", yet a meeting of the committee had been scheduled for 9:15 a.m. on Wednesday, May 1, 2002.

Any bill deserves more careful consideration, but a bill that increases taxes by more than \$200M dollars should never be handled so cavalierly.

I therefore request that HCS SS SB 1248 be removed from the Calendar and reassigned to committee for a full and open hearing.

Sincerely,

/s/ Cindy Ostmann

**ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 9:30 a.m., Thursday, May 2, 2002.



### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-first Day, Tuesday, April 30, 2002, pages 1417 and 1418, roll call, by showing Representatives Cooper and Rector voting "aye" rather than "absent with leave".

Pages 1418 and 1419, roll call, by showing Representatives Enz, Kelly (144), Luetkemeyer, Phillips and Scott voting "aye" rather than "absent with leave".

Pages 1419 and 1420, roll call, by showing Representatives Enz, Kelly (144), Luetkemeyer and Robirds voting "aye" rather than "absent with leave".

Pages 1433 and 1434, roll call, by showing Representatives Barry, Graham, Green (15) and Walker voting "aye" rather than "absent with leave".

Pages 1433 and 1434, roll call, by showing Representatives Barnett, Enz, Luetkenhaus, Scott and Wright voting "no" rather than "absent with leave".

Pages 1437 and 1438, roll call, by showing Representatives Green (15), Hunter and Jetton voting "aye" rather than "absent with leave".

Pages 1441 and 1442, roll call, by showing Representative Green (15) voting "aye" rather than "absent with leave".

Pages 1442 and 1443, roll call, by showing Representative Green (15) voting "aye" rather than "absent with leave".

Pages 1443 and 1444, roll call, by showing Representative Walker voting "aye" rather than "no".

Pages 1445 and 1446, roll call, by showing Representative Green (15) voting "aye" rather than "absent with leave".

Pages 1446 and 1447, roll call, by showing Representatives Graham and Green (15) voting "aye" rather than "absent with leave".

Pages 1447 and 1448, roll call, by showing Representatives Graham, Johnson (90), Liese and Naeger voting "aye" rather than "absent with leave".

Pages 1447 and 1448, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Pages 1448 and 1449, roll call, by showing Representatives Green (15), Hampton, Johnson (90) and Liese voting "aye" rather than "absent with leave".

Pages 1449 and 1450, roll call, by showing Representatives Graham, Johnson (90), Kelley (47), Liese and Naeger voting "aye" rather than "absent with leave".

Pages 1463 and 1464, roll call, by showing Representatives Graham, Liese and Wagner voting "aye" rather than "absent with leave".

Page 1465, roll call, by showing Representative Luetkenhaus voting "aye" rather than "no".

Page 1465, roll call, by showing Representatives Bartle, Graham and Liese voting "aye" rather than "absent with leave".

Page 1465, roll call, by showing Representatives Fraser, Naeger and Wagner voting "no" rather than "absent with leave".

Pages 1466 and 1467, roll call, by showing Representatives Liese, Luetkenhaus and Walker voting "aye" rather than "absent with leave".

Pages 1466 and 1467, roll call, by showing Representatives Bartle and Naeger voting "no" rather than "absent with leave".

Pages 1466 and 1467, roll call, by showing Representative Wagner voting "present" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **CHILDREN, FAMILIES, AND HEALTH**

Thursday, May 2, 2002, 8:00 a.m. Hearing Room 1. AMENDED.  
Executive Session to be held on: SB 687, SB 741, SB 923

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 2, 2002, 7:30 a.m. Hearing Room 3.  
Bills in conference. HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 2, 2002. Hearing Room 3 upon adjournment.  
Bills in conference. SCS HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Friday, May 3, 2002, 8:30 a.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Sunday, May 5, 2002, 2:00 p.m. Hearing Room 3.  
Bills in conference. SCS HCS HBs 1101 through 1112.

**EDUCATION - ELEMENTARY AND SECONDARY**

Thursday, May 2, 2002, 9:00 a.m. Hearing Room 5. CANCELLED.

Public Hearing to be held on: SB 1059

**ENVIRONMENT AND ENERGY**

Thursday, May 2, 2002, 8:30 a.m. Hearing Room 7.

Executive Session may follow.

Public Hearing to be held on: SB 984

**JUDICIARY**

Thursday, May 2, 2002, 9:30 a.m. Hearing Room 6. CANCELLED.

Executive Session to be held on: SB 931

**SOCIAL SERVICES, MEDICAID AND THE ELDERLY**

Thursday, May 2, 2002. Side gallery upon adjournment.

Executive Session.

**UTILITIES REGULATION**

Monday, May 6, 2002, 1:00 p.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 900

**HOUSE CALENDAR**

SIXTY-THIRD DAY, THURSDAY, MAY 2, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1231 - Harding
- 2 HCS HB 1318 - George
- 3 HCS HB 1914 - Mays (50)
- 4 HCS HB 1680 - Hampton
- 5 HB 1708 - Daus
- 6 HB 1427 - Hosmer
- 7 HCS HB 1863 - Whorton
- 8 HCS HB 1923 - Barry
- 9 HB 1813 - Monaco
- 10 HB 1530 - Hoppe
- 11 HB 1721 - Shelton
- 12 HB 1211 - Smith
- 13 HB 1191 - Davis
- 14 HB 1198 - Graham
- 15 HB 1794, HCA 1 - Legan
- 16 HCS HB 1570 - Koller

- 17 HCS HB 1780 - Green (73)
- 18 HCS HB 1445 - Smith
- 19 HB 1663 - Seigfreid
- 20 HB 1596 - Harding
- 21 HB 1084 - Fraser
- 22 HCS HB 1321 & 1491 - Williams
- 23 HCS HB 1723 - Boucher
- 24 HB 1485 - Johnson (90)
- 25 HB 1439, HCA 1 - Myers
- 26 HB 1970 - Townley
- 27 HB 1052 - Ward
- 28 HCS HB 1725 - Walton
- 29 HB 1609 - Robirds
- 30 HCS HB 1828 - Cunningham
- 31 HCS HB 1407 - Riback Wilson (25)
- 32 HCS HB 1889 & 1946 - Foley
- 33 HCS HB 2065 - Ransdall
- 34 HCS HB 1077, 1187 & 1579 - Jolly
- 35 HCS HB 1599 - Lawson

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker
- 3 HB 2160, as amended - Britt
- 4 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 5 HB 1916 - Franklin

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HCS HB 1120 - Green (73)
- 2 HB 1121 - Green (73)

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HB 1594, (Fiscal Review 4-29-02) - Gratz
- 3 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 4 HS HCS HB 1868 - Barry
- 5 HCS HB 1777, E.C. - Johnson (61)
- 6 HB 1988 - Kelly (144)

**SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

- 1 SCR 64
- 2 SCR 65

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 878
- 2 SB 1095
- 3 SB 1140
- 4 SB 1232

**SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 46, (3-12-02, Pages 570-571) (Dougherty) - Johnson (61)
- 2 SCR 37, (2-13-02, Pages 276-277) (Dougherty) - Johnson (61)
- 3 SCR 36, (3-12-02, Pages 567-568) (Bentley) - Davis
- 4 SCS SCR 47, (3-12-02, Pages 571-572) (Childers) - Gaskill
- 5 SCR 54, (4-3-02, Page 829) (Sims) - Fares

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SCS SB 729, (Yeckel) - Luetkenhaus
- 3 SB 812, (Russell) - Holand
- 4 SB 726, (Childers) - Gaskill
- 5 SB 865, (Foster) - Myers
- 6 SCS SB 918, (Klarich) - Linton
- 7 SB 1109, (Yeckel) - Portwood
- 8 SCS SB 1207, (Bentley) - Holand
- 9 SCS SB 1151, (Kinder) - Myers
- 10 SCS SB 874, (Bentley) - Franklin
- 11 SCS SB 1182, (Singleton) - Barry
- 12 SCS SB 1024, (Bentley) - Holand
- 13 SB 976, (Steelman) - Portwood
- 14 SB 644, (Mathewson) - Davis
- 15 SCS SB 1241, 1253 & 1189, (Coleman) - Boykins
- 16 SCS SB 966, (Kennedy) - Gambaro
- 17 SB 798, (Westfall) - Ross
- 18 SCS SB 745, (Russell) - Kelly (144)
- 19 SB 831, (Loudon) - Gambaro
- 20 SCS SB 656, (Rohrbach) - Luetkenhaus

**SENATE BILLS FOR THIRD READING**

- 1 HS SB 1220, as amended (Sims) - O'Toole
- 2 SS SCS SB 959, E.C. (Kenney) - Rizzo
- 3 HCS SS SB 1248, E.C. (Mathewson) - Foley
- 4 HCS SS SS SCS SB 970, 968, 921, 867, 868 & 738, (Westfall) - Koller
- 5 HCS SB 895, (Yeckel) - Liese
- 6 HCS SS SCS SB 675, E.C. (Fiscal Review 5-1-02)(Yeckel) - Seigfreid
- 7 SS SCS SB 884, (DePasco) - Liese
- 8 HCS SCS SB 810, (Fiscal Review 5-1-02)(Dougherty) - Ladd Baker
- 9 HCS SCS SB 712, E.C. (Singleton) - O'Toole
- 10 HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith
- 11 HCS SCS SB 1070, (Gibbons) - Hosmer
- 12 SCS SB 915, 710 & 907, (Westfall) - Koller

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 HB 1814, SCA 1 - Monaco
- 2 HB 1580, SA 1 - Barnett
- 3 SCS HB 1846 - Scott

**BILL CARRYING REQUEST MESSAGE**

SCS HB 2120, (Request Senate recede/grant conference) - Ridgeway

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall
- 8 SCS HCS HB 1108 - Kelly (27)
- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)
- 11 SCS HCS HB 1111, as amended - Troupe
- 12 SCS HCS HB 1112 - Bonner
- 13 CCR HCS HB 1711, E.C., as amended - Graham

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-THIRD DAY, THURSDAY, MAY 2, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Great God of Truth, we put our trust in You on this National Day of Prayer, and in You we find our hope. You are the Giver of love in ways that are beyond our numbering. Help these men and women of the House, as they serve Missouri, and make tough decisions.

Many of these members of the House know the frustration and pain that accompanies leadership. Many know the pressure that comes from friends and foes. Keep them this day: patient, dedicated, hard working for our state. Protect them from a heavy heart and help them put service above self. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Justin Fettig, Abby Harris, Jody Glazner, Kayli Pozniak, Salvatore Scavuzzo, Kyle Gilbert, Odessa Hart, Dannen Merrill, Malorie Barnett, John Morton, Randell Barnett, Katelyn Ewing, Shonna Hawks, Veronica Lenz, Elizabeth Gordon, Ryan Mack, Matthew Cierpoit, Michelle Stevenson, Derek Cole, Kassie Sachs and Colton Schwab.

The Journal of the sixty-second day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1744	-	Representative Surface
House Resolution No. 1745	-	Representative Cooper
House Resolution No. 1746		
and		
House Resolution No. 1747	-	Representatives Cooper and Scott
House Resolution No. 1748	-	Representative Gratz
House Resolution No. 1749		
and		
House Resolution No. 1750	-	Representative Rector
House Resolution No. 1751	-	Representatives Rector and Cooper
House Resolution No. 1752	-	Representatives Surface and Burton
House Resolution No. 1753	-	Representative Legan
House Resolution No. 1754	-	Representatives Burton and Surface
House Resolution No. 1755	-	Representative Wilson (42)

House Resolution No. 1756 - Representative Walton  
House Resolution No. 1757 - Representative Kelly (36)  
House Resolution No. 1758 - Representative Quinn  
House Resolution No. 1759 - Representative Harding  
House Resolution No. 1760  
and  
House Resolution No. 1761 - Representative Legan  
House Resolution No. 1762 - Representative Naeger  
House Resolution No. 1763 - Representative Walton

## **SECOND READING OF SENATE CONCURRENT RESOLUTIONS**

**SCR 64** and **SCR 65** were read the second time.

## **SECOND READING OF SENATE BILLS**

**SCS SB 878, SB 1095, SB 1140** and **SB 1232** were read the second time.

## **COMMITTEE REPORT**

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 2097, HB 2137, HCS HB 1120** and **HB 1121**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Representative Britt suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90



Jolly	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 002

Lograsso	Reynolds
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ABSENT WITH LEAVE: 011

Berkstresser	Curls	Hagan-Harrell	Jones	Kelley 47
Kelly 144	Merideth	Phillips	Reinhart	Roark
Williams				

VACANCIES: 001

## HOUSE BILLS WITH SENATE AMENDMENTS

**HB 1814, with Senate Committee Amendment No. 1**, relating to orders of protection, was taken up by Representative Monaco.

On motion of Representative Monaco, the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 150

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese

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Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Berkstresser	Boykins	Burcham
Campbell	Crawford	Curls	Kelley 47	Lograsso
Long	Van Zandt			

VACANCIES: 001

On motion of Representative Monaco, **HB 1814, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer

Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Ballard	Berkstresser	Boatright	Boykins
Campbell	Curls	Kelley 47	Lograsso	Long
Van Zandt				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 1580, with Senate Amendment No. 1**, relating to County Board of Equalization, was taken up by Representative Barnett.

On motion of Representative Barnett, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 146

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel

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Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Behnen	Berkstresser	Boykins
Crowell	Curls	Franklin	Harlan	Kelley 47
Lograsso	Long	Ostmann	Relford	Shields
St. Onge				

VACANCIES: 001

On motion of Representative Barnett, **HB 1580, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Ballard	Barry 100	Berkstresser	Boykins
Curls	Franklin	Green 73	Harlan	Hunter
Kelley 47	Lograsso	Long	Ostmann	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**SCS HB 1846**, relating to villages, was taken up by Representative Scott.

On motion of Representative Scott, **SCS HB 1846** was adopted by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Berkstresser	Boykins	Curls	Franklin
Hagan-Harrell	Harlan	Hunter	Kelley 47	Lograsso
Ostmann				

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VACANCIES: 001

On motion of Representative Scott, **SCS HB 1846** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Berkstresser	Boykins	Britt
Byrd	Cierpiot	Curls	Harlan	Kelley 47
Lawson	Lograsso			

VACANCIES: 001

Speaker Kreider declared the bill passed.

Speaker Pro Tem Abel assumed the Chair.

### THIRD READING OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 1120**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HCS HB 1120** was read the third time and passed by the following vote:

AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bearden
Berkowitz	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crump	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 020

Ballard	Bartelsmeyer	Bartle	Behnen	Boatright
Burcham	Byrd	Crawford	Crowell	Cunningham
Froelker	Hanaway	Henderson	Hohulin	Hunter
Linton	Purgason	Reid	Roark	Scott

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Berkstresser	Curls	Franklin	Kelley 47
Lograsso				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HB 1121**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **HB 1121** was read the third time and passed by the following vote:

AYES: 134

Abel	Barnett	Barnitz	Bearden	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crump
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 020

Ballard	Bartelsmeyer	Bartle	Behnen	Burcham
Byrd	Crowell	Cunningham	Hanaway	Hendrickson
Hohulin	Hunter	Jetton	Kelly 144	Linton
Mayer	Purgason	Roark	Scott	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Barry 100	Berkstresser	Curls	Franklin
Kelley 47	Lograsso	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.



### THIRD READING OF HOUSE BILLS

**HS HCS HB 1868**, relating to the Regional Taxicab Commission, was taken up by Representative Barry.

Representative Barry moved that **HS HCS HB 1868** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 069

Abel	Baker	Barry 100	Bearden	Bonner
Boucher	Britt	Byrd	Carnahan	Clayton
Crump	Cunningham	Davis	Dempsey	Dolan
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	George	Graham	Green 15	Green 73
Griesheimer	Hagan-Harrell	Harlan	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jones	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
Murphy	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Ransdall	Reid
Relford	Reynolds	Rizzo	Scheve	Selby
Smith	St. Onge	Treadway	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	

NOES: 084

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Berkowitz	Black	Bland	Boatright
Boykins	Bray 84	Brooks	Burcham	Burton
Champion	Cierpiot	Cooper	Crawford	Crowell
Daus	Enz	Gaskill	Gratz	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hohulin	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelly 144	King
Legan	Linton	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Merideth	Miller
Moore	Myers	Naeger	Phillips	Purgason
Quinn	Rector	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Surface	Thompson	Townley
Troupe	Van Zandt	Villa	Vogel	Walker
Whorton	Wilson 42	Wright	Mr. Speaker	

PRESENT: 004

Campbell	Copenhaver	Fares	Kelly 27
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ABSENT WITH LEAVE: 005

Berkstresser	Bowman	Curls	Kelley 47	Lograsso
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VACANCIES: 001

Representative Villa assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

**HCS HB 1777**, relating to public order, was taken up by Representative Johnson (61).

**HCS HB 1777** was laid over.

Representative Britt suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 129

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Champion	Cierpiot	Copenhaver	Crawford	Cunningham
Daus	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lowe	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Relford	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Van Zandt	Villa
Vogel	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 000

PRESENT: 004

Burcham	Lograsso	Reynolds	Wright
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ABSENT WITH LEAVE: 029

Baker	Ballard	Bartle	Berkstresser	Burton
Byrd	Clayton	Cooper	Crowell	Crump
Curls	Dempsey	Green 73	Harlan	Hohulin
Kelley 47	Lawson	Long	Luetkemeyer	Miller
O'Toole	Paone	Reinhart	Scheve	Surface
Townley	Troupe	Wagner	Williams	

VACANCIES: 001

## **NATIONAL DAY OF PRAYER OBSERVANCE**

The House of Representatives wishes to pause with the rest of the country as part of the National Day of Prayer. Since the tragic events of September 11, all Americans have become more mindful of one another and the need to reflect on our many blessings.

Prayer by Representative Philip Willoughby.

Almighty God,

On this special day, we stand before You as a group of individuals with much to confess. A group that sometimes gets so focused on our own agendas we lose sight on the greater good. A group that sometimes pushes green when deep down inside, we know we should push red. But a group that collectively encourages and nudges our society toward a positive direction as best we can.

So Lord, on this special day of prayer, when our nation pauses - if even for a short time - to pay recognition to You, we find much to celebrate: For we stand as one nation under God - free. We stand as a collective body of separate individuals, whether Catholic, protestant, muslim, jewish, liberal, conservative, young and old - we still stand free. As freedom defines us, our commitment to each other unites us.

Today we recognize that in the world surrounding us, we see the pain of war, we hear too loudly the cries of children, and we feel too sharply the hurt of oppression. But in Your grace, You allow us to be free, and to lock arms with each other and march forward to make a difference in society.

So many act as Your instruments in leading us in this great nation, and we ask for Your blessings upon our President and national leaders, Governor Holden and state leaders. We ask for Your blessing on Speaker Kreider and Leader Hanaway as they continue to demonstrate leadership in our state.

And we pray for the people of this great land right now, whether they are plowing a field in Iowa, working in a factory in Louisiana, sitting in an office in Jefferson City, we ask for Your blessing upon them.

Lord, during this time of prayer, we celebrate Your blessings and remain, because of You - one nation - free. In Your holy name. Amen.

Prayer by Representative Matt Boatright.

We thank You Lord Jesus for life today. We thank You for a National Day of Prayer, we thank You for the privilege to live in a free land, we thank You for the privilege to pray, we thank You for Your Word which doesn't change. These are all gifts from You, and we thank You.

Lord we ask You to give us wisdom and discernment to know right from wrong. We lift up the leaders of this place and our nation. We ask for Your continued guidance and protection. Lord, we ask for ourselves, Your forgiveness for the many ways that we disappoint You with our sins.

Lord, we ask for each man, woman and child in this great state and country to heed the advice in Proverbs 3:5-6: Trust in the Lord with all your heart, and do not lean on your own understanding. In all your ways acknowledge Him, and He will make your paths straight.

Lord this is our prayer today. Amen.

The House joined in a moment of silent prayer.

### THIRD READING OF HOUSE BILLS

**HCS HB 1777**, relating to public order, was again taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **HCS HB 1777** was read the third time and passed by the following vote:

AYES: 096

Abel	Barnitz	Barry 100	Bearden	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Clayton	Copenhaver	Crump	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 15	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Haywood
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Long	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Reid	Relford	Reynolds	Richardson	Rizzo
Scheve	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 057

Ballard	Barnett	Bartelsmeyer	Bartle	Behnen
Black	Boatright	Burcham	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Gratz	Griesheimer	Hartzler	Hegeman
Henderson	Hendrickson	Hunter	Kelly 144	Linton
Lograsso	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	St. Onge	Townley
Whorton	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Berkstresser	Curls	Green 73	Hohulin
Kelley 47	Lawson	Luetkemeyer	Marble	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 091

Abel	Barry 100	Bearden	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambara	George
Graham	Green 15	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Long
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Paone
Purgason	Ransdall	Reid	Relford	Reynolds
Richardson	Rizzo	Scheve	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 059

Barnett	Barnitz	Bartelsmeyer	Bartle	Behnen
Black	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Gratz	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Jetton
Kelly 144	Linton	Lograsso	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Ostmann	Phillips	Portwood	Quinn
Rector	Reinhart	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Shields	Shoemaker
St. Onge	Townley	Whorton	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Berkstresser	Curls	Green 73
Hohulin	Hunter	Kelley 47	Lawson	Luetkemeyer
Marble	Nordwald			

VACANCIES: 001

**HB 1988**, relating to the official state horse, was taken up by Representative Kelly (144).

On motion of Representative Kelly (144), **HB 1988** was read the third time and passed by the following vote:

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AYES: 121

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Brooks
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Green 15	Green 73	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Rizzo	Roark
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Skaggs
Smith	St. Onge	Surface	Townley	Treadway
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Wilson 25	Wright
Mr. Speaker				

NOES: 023

Bowman	Bray 84	Carnahan	Clayton	Copenhaver
Daus	Davis	Farnen	Gratz	Hagan-Harrell
Hickey	Jones	McKenna	Monaco	Murphy
Reynolds	Ridgeway	Scheve	Shoemyer	Troupe
Wagner	Willoughby	Wilson 42		

PRESENT: 000

ABSENT WITH LEAVE: 018

Abel	Baker	Berkstresser	Boykins	Britt
Crump	Curls	Franklin	Harlan	Hohulin
Hunter	Kelley 47	Lawson	Luetkemeyer	Marble
Richardson	Robirds	Thompson		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

### **BILL IN CONFERENCE**

**CCR HCS HB 1711, as amended**, relating to state school aid, was taken up by Representative Graham.

On motion of Representative Graham, **CCR HCS HB 1711, as amended**, was adopted by the following vote:

AYES: 132

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Liese
Lowe	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Miller	Monaco	Moore
Myers	O'Connor	O'Toole	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Reynolds	Rizzo
Robirds	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 015

Bartle	Cierpiot	Griesheimer	Legan	Linton
Long	Merideth	Nordwald	Ostmann	Relford
Ridgeway	Roark	Ross	Townley	Whorton

PRESENT: 000

ABSENT WITH LEAVE: 015

Ballard	Berkstresser	Curls	Hohulin	Kelley 47
Lograsso	Luetkemeyer	Marble	Murphy	Naeger
Richardson	Scheve	Scott	Van Zandt	Wright

VACANCIES: 001

On motion of Representative Graham, **CCS HCS HB 1711** was read the third time and passed by the following vote:

## 1568 *Journal of the House*

AYES: 136

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Liese	Lograsso	Lowe
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Miller	Monaco	Moore	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Rizzo	Robirds	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 015

Bartle	Cierpiot	Griesheimer	Legan	Linton
Long	Merideth	Murphy	Nordwald	Ridgeway
Roark	Ross	Scott	Townley	Whorton

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Berkstresser	Curls	Hickey	Hohulin
Hunter	Kelley 47	Luetkemeyer	Marble	Richardson
Wright				

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:



AYES: 135

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Liese	Lograsso	Lowe
Luetkenhaus	Marsh	May 149	Mayer	Mays 50
McKenna	Miller	Monaco	Moore	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Rizzo	Robirds	Scheve	Schwab
Secrest	Siegfried	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 015

Bartle	Cierpiot	Griesheimer	Hunter	Legan
Linton	Long	Merideth	Murphy	Nordwald
Ridgeway	Roark	Ross	Scott	Townley

PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Berkstresser	Boykins	Curls	Hohulin
Kelley 47	Luetkemeyer	Marble	Richardson	Thompson
Troupe	Wright			

VACANCIES: 001

### THIRD READING OF HOUSE BILLS

**HB 2097**, relating to weights and measures, was taken up by Representative Copenhaver.

On motion of Representative Copenhaver, **HB 2097** was read the third time and passed by the following vote:

## 1570 *Journal of the House*

AYES: 139

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Linton	Long	Lowe	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 001

O'Connor

PRESENT: 000

ABSENT WITH LEAVE: 022

Abel	Baker	Berkstresser	Boykins	Byrd
Cierpiot	Curls	Dolan	Franklin	Harlan
Hohulin	Kelley 47	Kelly 27	Liese	Lograsso
Luetkemeyer	Marble	Miller	Purgason	Richardson
Wagner	Wright			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HB 2137**, relating to county treasurers, was taken up by Representative Crump.

On motion of Representative Crump, **HB 2137** was read the third time and passed by the following vote:

AYES: 132

Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Hanaway	Harding	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 36	King	Koller	Lawson
Legan	Linton	Long	Lowe	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 003

Gaskill	Murphy	Purgason
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PRESENT: 002

Griesheimer	Shoemaker
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ABSENT WITH LEAVE: 025

Abel	Baker	Barnitz	Berkstresser	Boykins
Byrd	Cierpiot	Curls	Franklin	Harlan
Hartzler	Haywood	Hohulin	Kelley 47	Kelly 27
Liese	Lograsso	Luetkemeyer	Marble	Monaco
Richardson	Skaggs	Troupe	Wagner	Wright

VACANCIES: 001

Speaker Kreider declared the bill passed.

### THIRD READING OF SENATE BILLS

**HS SB 1220, as amended**, relating to the Gaming Commission, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HS SB 1220, as amended**, was read the third time and passed by the following vote:

AYES: 082

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Koller
Lawson	Long	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	Murphy	Naeger
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Richardson	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Thompson	Van Zandt	Villa	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 070

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hampton	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Holand	Hosmer	Hunter	Jetton
Kelly 144	King	Legan	Linton	Lograsso
Marsh	May 149	Mayer	Miller	Moore
Myers	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	Smith
St. Onge	Townley	Treadway	Vogel	Wright

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 009

Berkstresser	Curls	Hohulin	Kelley 47	Liese
Luetkemeyer	Marble	Surface	Troupe	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**SS SCS SB 959**, relating to investment funds service corporations, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SS SCS SB 959** was truly agreed to and finally passed by the following vote:

AYES: 144

Barnett	Barnitz	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Daus

PRESENT: 000

ABSENT WITH LEAVE: 017

Abel	Baker	Ballard	Barry 100	Berkstresser
Curls	Harlan	Hohulin	Kelley 47	Lograsso
Luetkemeyer	Marble	Moore	Skaggs	Surface
Troupe	Wagner			

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

## 1574 *Journal of the House*

AYES: 139

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lowe	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Walker	Walton	Ward
Whorton	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 004

Ballard	Daus	Reid	Wright
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PRESENT: 000

ABSENT WITH LEAVE: 019

Abel	Baker	Berkstresser	Curls	Hohulin
Kelley 47	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	Nordwald	O'Toole	Reinhart	Surface
Troupe	Wagner	Williams	Willoughby	

VACANCIES: 001

**HCS SS SB 1248**, relating to school funding, was taken up by Representative Foley.

Representative Foley offered **HS HCS SS SB 1248**.

Representative Wright offered **House Amendment No. 1**.

Representative Foley raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hanaway offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, Pages 27-30, Section 144.190, by deleting all of said section and inserting in lieu thereof the following:

“144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, and the balance, with interest as determined by section 32.065, RSMo, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment.

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 92 and 94, RSMo, shall be remitted based upon the location of the place of business of the purchaser.

5. For all refund claims submitted to the department of revenue on or after September 1, 2002, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date of the original refund check issued to such person, no refund shall be allowed and a rebuttable presumption shall exist that such person has willfully and knowingly overcharged or overcollected such taxes with intent to make claim to any such overcharged or overcollected amount for the purposes of subsection 1 of section 144.157. This subsection shall not apply if an additional refund claim is filed due to any of the following:

- (1) receipt of additional information or an exemption certificate from the purchaser of the item at issue;
- (2) a decision of a court of competent jurisdiction or the administrative hearing commission; or,
- (3) changes in regulation or policy by the department of revenue.

6. Any taxpayer in the state of Missouri may sue the state on behalf of a class of all taxpayers for refunds of sales taxes which have been incorrectly or illegally collected in the same manner as is permitted under article X, sections 18(e)(5) and 23 of the Constitution of Missouri”.

Representative Smith requested a division of the question on **House Amendment No. 1**.

*House Amendment No. 1*

**PART I**

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, Pages 27-30, Section 144.190, by deleting all of said section and inserting in lieu thereof the following:

“144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, and the balance, with interest as determined by section 32.065, RSMo, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment.

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 92 and 94, RSMo, shall be remitted based upon the location of the place of business of the purchaser.

**5. For all refund claims submitted to the department of revenue on or after September 1, 2002, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date of the original refund check issued to such person, no refund shall be allowed and a rebuttable presumption shall exist that such person has willfully and knowingly overcharged or overcollected such taxes with intent to make claim to any such overcharged or overcollected amount for the purposes of subsection 1 of section 144.157. This subsection shall not apply if an additional refund claim is filed due to any of the following:**

- (1) receipt of additional information or an exemption certificate from the purchaser of the item at issue;**
- (2) a decision of a court of competent jurisdiction or the administrative hearing commission; or,**
- (3) changes in regulation or policy by the department of revenue.”**

Representative Hanaway moved that **Part I of House Amendment No. 1** be adopted.

Which motion was defeated by the vote:

AYES: 067

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Holand	Hunter
Jetton	Kelly 144	King	Legan	Linton
Lograsso	Marsh	May 149	Mayer	Miller
Moore	Myers	Naeger	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Townley	Villa	Vogel
Whorton	Wright			



NOES: 079

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Koller
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Wagner	Walker	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 016

Berkstresser	Crowell	Curls	Gratz	Haywood
Hickey	Hohulin	Kelley 47	Lawson	Long
Luetkemeyer	Marble	Murphy	Nordwald	Surface
Troupe				

VACANCIES: 001

Speaker Pro Tem Abel resumed the Chair.

*House Amendment No. 1*

**PART II**

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, Pages 27-30, Section 144.190, by deleting all of said section and inserting in lieu thereof the following:

**“6. Any taxpayer in the state of Missouri may sue the state on behalf of a class of all taxpayers for refunds of sales taxes which have been incorrectly or illegally collected in the same manner as is permitted under article X, sections 18(e)(5) and 23 of the Constitution of Missouri”.**

Representative Hanaway moved that **Part II of House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Hegeman offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, Page 30, Section 144.190, Line 13, by inserting after said line the following:

“7. In lieu of subsection 3 of this section, if any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, or refunded, with interest as determined by section 32.065, RSMo, to the person legally obligated to remit the tax, only if duplicate copies of a claim for refund are filed within three years from date of overpayment and the person legally obligated to remit the tax submits a plan between the person and the director to generally refund the amount of overpayment in equal installments to future customers of the person by mutually agreed to distribution of a fixed value coupon to such customers.”.

Representative Smith raised a point of order that **House Amendment No. 2** is dilatory.

The Chair ruled the point of order not well taken.

On motion of Representative Hegeman, **House Amendment No. 2** was adopted.

Representative Naeger offered **House Amendment No. 3**.

Representative Foley raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Monaco raised a point of order that **House Amendment No. 3** is frivolous.

The Chair ruled the points of order well taken.

Representative Britt assumed the Chair.

Speaker Kreider resumed the Chair.

On motion of Representative Foley, **HS HCS SS SB 1248, as amended**, was adopted.

On motion of Representative Foley, **HS HCS SS SB 1248, as amended**, was read the third time and passed by the following vote:

AYES: 082

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hampton
Harding	Harlan	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	Murphy	O'Connor
O'Toole	Overschmidt	Paone	Ransdall	Reid
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shoemyer	Smith	Thompson	Treadway
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 062

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hunter	Jetton
Kelly 144	King	Legan	Linton	Lograsso
May 149	Mayer	Miller	Moore	Myers
Naeger	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Scott	Secrest
Shields	Shoemaker	Skaggs	St. Onge	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 018

Berkstresser	Bray 84	Crowell	Curls	Hagan-Harrell
Haywood	Hohulin	Holand	Kelley 47	Long
Luetkemeyer	Marble	Marsh	Nordwald	Schwab
Shelton	Surface	Troupe		

VACANCIES: 001

Speaker Kreider declared the bill passed.

Representative Hanaway requested a verification of the roll call on the motion to third read and pass **HS HCS SS SB 1248, as amended.**

Representative Smith assumed the Chair.

The emergency clause was defeated by the following vote:

AYES: 076

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Hampton	Harding
Harlan	Hickey	Hilgemann	Hollingsworth	Holt
Hosmer	Johnson 90	Jolly	Jones	Kelly 36
Koller	Lawson	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	O'Connor
Overschmidt	Paone	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 055

Barnett	Bartelsmeyer	Bearden	Behnen	Boatright
Burcham	Byrd	Cierpiot	Cooper	Crawford
Cunningham	Dempsey	Dolan	Enz	Fares
Gaskill	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hoppe	Hunter	Jetton
Johnson 61	Kelly 144	Legan	Linton	Lograsso
May 149	Mayer	Miller	Moore	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Scott	Secrest	Shields
Shoemaker	St. Onge	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 031

Ballard	Bartle	Berkstresser	Black	Bray 84
Burton	Champion	Crowell	Curls	Froelker
Green 73	Hagan-Harrell	Haywood	Hohulin	Holand
Kelly 47	Kelly 27	King	Long	Luetkemeyer
Marble	Marsh	Murphy	Myers	Nordwald
O'Toole	Ross	Schwab	Shelton	Surface
Troupe				

VACANCIES: 001

## REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

**HCS SCS SB 712** - Fiscal Review and Government Reform (Fiscal Note)

## COMMITTEE REPORTS

**Committee on Commerce and Economic Development**, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SB 856**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Insurance**, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SS SCS SB 1009**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCS SBs 894, 975 & 927**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1477**, entitled:

An act to repeal sections 360.106, 360.111, and 360.112, RSMo, and to enact in lieu thereof three new sections relating to the Missouri health and educational facilities act.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1515**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1548**, entitled:

An act to repeal section 191.925, RSMo, and to enact in lieu thereof one new section relating to newborn hearing screening program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1635**, entitled:

An act to repeal section 393.130, RSMo, relating to deposits for water service, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1838**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1839**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1849**, entitled:

An act to authorize the conveyance of property owned by the state in the county of Crawford to the county commission of Crawford County, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1861**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1895**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1964**, entitled:

An act to repeal sections 339.010, 339.710, 339.720 and 339.770, RSMo, and to enact in lieu thereof four new sections relating to the selling of real estate.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1973**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1982**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2002**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2009**, entitled:

An act to repeal section 301.560, RSMo, and to enact in lieu thereof one new section relating to requirements for licensure of motor vehicle dealers, manufacturers, and auctions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2018**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2022**, entitled:

An act to repeal section 178.870, RSMo, relating to increases and decreases of certain tax rates, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2039**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2047**, entitled:

An act to repeal sections 41.150 and 41.948, RSMo, and to enact in lieu thereof two new sections relating to military forces.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2064**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2130**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 24**, entitled:

**Joint Resolution**

Submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri relating to term limits, and adopting one new section in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 713**, entitled:

An act to amend chapter 334, RSMo, by adding thereto one new section relating to physicians.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 1152**, entitled:

An act to repeal sections 27.060, 43.540, 50.333, 56.640, 57.290, 59.041, 59.042, 67.133, 143.782, 287.210, 429.032, 429.080, 429.090, 429.120, 429.160, 429.270, 429.460, 429.470, 429.490, 429.540, 430.225, 454.505, 455.027, 455.060, 455.067, 455.075, 455.504, 455.508, 476.058, 476.270, 476.320, 476.340, 476.385, 478.725, 483.245, 484.020, 488.005, 488.012, 488.015, 488.020, 488.610, 488.2300, 488.4014, 488.5320, 491.300, 494.410, 494.415, 494.420, 511.350, 511.510, 517.141, 517.151, 537.684, 577.051, 589.410, 595.045, 610.106, 610.110, 610.120 and 610.122, RSMo, relating to judicial and administrative procedure and practice, and to enact in lieu thereof sixty-eight new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1266**, entitled:

An act to repeal sections 149.200, 149.203, 149.206, 149.212 and 149.215, RSMo, relating to sale of cigarettes, and to enact in lieu thereof five new sections relating to the same subject, with penalty provisions and an emergency clause.

In which the concurrence of the House is respectfully requested.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SCS HCS HB 1105:** Representatives Green (73), Bonner, Wilson (42), Bearden and Legan.

**SCS HCS HB 1106:** Representatives Green (73), Ransdall, Wilson (42), Bearden and Legan.

**SCS HCS HB 1107:** Representatives Green (73), Ransdall, Wilson (42), Bearden and Legan.

**SCS HCS HB 1108:** Representatives Green (73), Kelly (27), Wilson (42), Bearden and Legan.

The following member's presence was noted: Berkstresser.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Friday, May 3, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-second Day, Wednesday, May 1, 2002, page 1478, line 10, by inserting immediately after said line, the following:

Prayer originally delivered by Harry S. Truman.

Page 1540, line 3, by inserting after said line the following:

**HCS SS SCS SB 675 -** Fiscal Review and Government Reform (Fiscal Note)

Page 1540, line 9, by deleting said line and inserting in lieu thereof the following:

**SS#2 SB 1191 -** Banks and Financial Institutions

Page 1487, roll call, by showing Representative Holt voting "aye" rather than "absent with leave".

Pages 1480 and 1481, roll call, by showing Representatives Enz, Paone and Willoughby voting "aye" rather than "absent with leave".

Pages 1481 and 1482, roll call, by showing Representatives Barry, Sanders Brooks, Crowell, Kelly (144), Robirds and Willoughby voting "aye" rather than "absent with leave".



Pages 1482 and 1483, roll call, by showing Representatives Sanders Brooks and Willoughby voting "aye" rather than "absent with leave".

Pages 1482 and 1483, roll call, by showing Representative Naeger voting "no" rather than "absent with leave".

Page 1487, roll call, by showing Representative Holt voting "aye" rather than "absent with leave".

Page 1488, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Page 1489, roll call, by showing Representatives Kelly (144) and Wagner voting "aye" rather than "absent with leave".

Page 1490, roll call, by showing Representatives Kelly (144) and Wagner voting "aye" rather than "absent with leave".

Page 1491, roll call, by showing Representatives Hosmer, Kelly (144), Shields and Wagner voting "aye" rather than "absent with leave".

Page 1492, roll call, by showing Representatives Kelly (144), Naeger and Wagner voting "aye" rather than "absent with leave".

Page 1492, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Page 1493, roll call, by showing Representatives Kelly (144) and Wagner voting "aye" rather than "absent with leave".

Page 1496, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Page 1497, roll call, by showing Representatives McKenna and Paone voting "aye" rather than "absent with leave".

Page 1498, roll call, by showing Representatives Copenhaver and Paone voting "aye" rather than "absent with leave".

Page 1499, roll call, by showing Representatives King and Naeger voting "aye" rather than "absent with leave".

Page 1500, roll call, by showing Representatives Carnahan and King voting "aye" rather than "absent with leave".

Page 1500, roll call, by showing Representative Naeger voting "no" rather than "absent with leave".

Page 1501, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 1503, roll call, by showing Representative Barnett voting "no" rather than "aye".

Page 1503, roll call, by showing Representative Paone voting "no" rather than "absent with leave".

Page 1504, roll call, by showing Representatives Barry and Purgason voting "aye" rather than "absent with leave".

Page 1505, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 1506 and 1507, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Pages 1507 and 1508, roll call, by showing Representatives Fares and Moore voting "aye" rather than "absent with leave".

Pages 1507 and 1508, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Pages 1508 and 1509, roll call, by showing Representatives Bartelsmeyer, Carnahan, Graham and Purgason voting "aye" rather than "absent with leave".

Pages 1509 and 1510, roll call, by showing Representatives Carnahan, Hosmer and Wagner voting "aye" rather than "absent with leave".

Pages 1510 and 1511, roll call, by showing Representative Kreider voting "aye" rather than "no".

Pages 1510 and 1511, roll call, by showing Representatives Berkstresser and Shields voting "aye" rather than "absent with leave".

Pages 1511 and 1512, roll call, by showing Representative Robirds voting "no" rather than "aye".

Pages 1511 and 1512, roll call, by showing Representative Kreider voting "aye" rather than "no".

Pages 1512 and 1513, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Pages 1513 and 1514, roll call, by showing Representatives McKenna and Paone voting "aye" rather than "absent with leave".

Pages 1514 and 1515, roll call, by showing Representative Paone voting "aye" rather than "absent with leave".

Pages 1515 and 1516, roll call, by showing Representative Paone voting "aye" rather than "absent with leave".

Page 1517, roll call, by showing Representative Paone voting "aye" rather than "absent with leave".

Page 1518, roll call, by showing Representatives Sanders Brooks, King and Paone voting "aye" rather than "absent with leave".

Page 1519, roll call, by showing Representatives Bearden, Naeger and Paone voting "aye" rather than "absent with leave".

Pages 1519 and 1520, roll call, by showing Representative Paone voting "aye" rather than "absent with leave".

Pages 1521 and 1522, roll call, by showing Representatives King and Luetkemeyer voting "aye" rather than "absent with leave".

Pages 1522 and 1523, roll call, by showing Representatives Sanders Brooks and Paone voting "aye" rather than "absent with leave".

Pages 1523 and 1524, roll call, by showing Representatives Rector and Shields voting "aye" rather than "absent with leave".

Pages 1524 and 1525, roll call, by showing Representatives Sanders Brooks and Shields voting "aye" rather than "absent with leave".

Pages 1525 and 1526, roll call, by showing Representative Sanders Brooks voting "aye" rather than "absent with leave".

Pages 1526 and 1527, roll call, by showing Representative Sanders Brooks voting "aye" rather than "absent with leave".

Pages 1527 and 1528, roll call, by showing Representatives Graham and Naeger voting "aye" rather than "absent with leave".

Pages 1528 and 1529, roll call, by showing Representatives Graham, Johnson (90) and Robirds voting "aye" rather than "absent with leave".

Pages 1532 and 1533, roll call, by showing Representatives Johnson (90) and Rector voting "aye" rather than "absent with leave".

Pages 1533 and 1534, roll call, by showing Representative Cooper voting "aye" rather than "absent with leave".

Pages 1534 and 1535, roll call, by showing Representative Johnson (90) voting "aye" rather than "absent with leave".

Pages 1535 and 1536, roll call, by showing Representative Ross voting "aye" rather than "absent with leave".

Pages 1536 and 1537, roll call, by showing Representative Johnson (90) voting "aye" rather than "absent with leave".

Pages 1538 and 1539, roll call, by showing Representatives Paone and Wagner voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Monday, May 6, 2002. Side gallery upon evening adjournment.

Executive Session.

Public Hearing to be held on: SB 837

### **BANKS AND FINANCIAL INSTITUTIONS**

Monday, May 6, 2002. Hearing Room 3 upon adjournment.

Executive Session may follow.

Public Hearing to be held on: SB 1191

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Friday, May 3, 2002, 8:30 a.m. Hearing Room 3. Bills in conference.

SCS HCS HBs 1101 through 1112.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Sunday, May 5, 2002, 2:00 p.m. Hearing Room 3. Bills in conference.

SCS HCS HBs 1101 through 1112.

### **FISCAL REVIEW AND GOVERNMENT REFORM**

Monday, May 6, 2002. Hearing Room 5 upon evening adjournment.

Fiscal Review.

Public Hearing to be held on: HB 1594, HB 1886, SB 675, SB 712, SB 810

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, May 7, 2002, 8:00 a.m. Capitol Building Room 221.

**JUDICIARY**

Tuesday, May 7, 2002, 1:00 p.m. Hearing Room 5.

Executive Session to be held on: SB 931

**UTILITIES REGULATION**

Monday, May 6, 2002, 1:00 p.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 900

**HOUSE CALENDAR**

SIXTY-FOURTH DAY, FRIDAY, MAY 3, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1231 - Harding
- 2 HCS HB 1318 - George
- 3 HCS HB 1914 - Mays (50)
- 4 HCS HB 1680 - Hampton
- 5 HB 1708 - Daus
- 6 HB 1427 - Hosmer
- 7 HCS HB 1863 - Whorton
- 8 HCS HB 1923 - Barry
- 9 HB 1813 - Monaco
- 10 HB 1530 - Hoppe
- 11 HB 1721 - Shelton
- 12 HB 1211 - Smith
- 13 HB 1191 - Davis
- 14 HB 1198 - Graham
- 15 HB 1794, HCA 1 - Legan
- 16 HCS HB 1570 - Koller
- 17 HCS HB 1780 - Green (73)
- 18 HCS HB 1445 - Smith
- 19 HB 1663 - Seigfreid
- 20 HB 1596 - Harding
- 21 HB 1084 - Fraser
- 22 HCS HB 1321 & 1491 - Williams
- 23 HCS HB 1723 - Boucher
- 24 HB 1485 - Johnson (90)
- 25 HB 1439, HCA 1 - Myers
- 26 HB 1970 - Townley
- 27 HB 1052 - Ward

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- 28 HCS HB 1725 - Walton
- 29 HB 1609 - Robirds
- 30 HCS HB 1828 - Cunningham
- 31 HCS HB 1407 - Riback Wilson (25)
- 32 HCS HB 1889 & 1946 - Foley
- 33 HCS HB 2065 - Ransdall
- 34 HCS HB 1077, 1187 & 1579 - Jolly
- 35 HCS HB 1599 - Lawson

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker
- 3 HB 2160, as amended - Britt
- 4 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 5 HB 1916 - Franklin

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HB 1594, (Fiscal Review 4-29-02) - Gratz
- 3 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo

**SENATE JOINT RESOLUTION FOR SECOND READING**

SJR 24

**SENATE BILLS FOR SECOND READING**

- 1 SB 713
- 2 SS#2 SCS SB 1152
- 3 SCS SB 1266

**SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 46, (3-12-02, Pages 570-571) (Dougherty) - Johnson (61)
- 2 SCR 37, (2-13-02, Pages 276-277) (Dougherty) - Johnson (61)
- 3 SCR 36, (3-12-02, Pages 567-568) (Bentley) - Davis
- 4 SCS SCR 47, (3-12-02, Pages 571-572) (Childers) - Gaskill
- 5 SCR 54, (4-3-02, Page 829) (Sims) - Fares

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SCS SB 729, (Yeckel) - Luetkenhaus
- 3 SB 812, (Russell) - Holand
- 4 SB 726, (Childers) - Gaskill
- 5 SB 865, (Foster) - Myers
- 6 SCS SB 918, (Klarich) - Linton
- 7 SB 1109, (Yeckel) - Portwood
- 8 SCS SB 1207, (Bentley) - Holand
- 9 SCS SB 1151, (Kinder) - Myers
- 10 SCS SB 874, (Bentley) - Franklin
- 11 SCS SB 1182, (Singleton) - Barry
- 12 SCS SB 1024, (Bentley) - Holand
- 13 SB 976, (Steelman) - Portwood
- 14 SB 644, (Mathewson) - Davis
- 15 SCS SB 1241, 1253 & 1189, (Coleman) - Boykins
- 16 SCS SB 966, (Kennedy) - Gambaro
- 17 SB 798, (Westfall) - Ross
- 18 SCS SB 745, (Russell) - Kelly (144)
- 19 SB 831, (Loudon) - Gambaro
- 20 SCS SB 656, (Rohrbach) - Luetkenhaus

**SENATE BILLS FOR THIRD READING**

- 1 HCS SS SS SCS SB 970, 968, 921, 867, 868 & 738, (Westfall) - Koller
- 2 HCS SB 895, (Yeckel) - Liese
- 3 HCS SS SCS SB 675, E.C. (Fiscal Review 5-1-02)(Yeckel) - Seigfreid
- 4 SS SCS SB 884, (DePasco) - Liese
- 5 HCS SCS SB 810, (Fiscal Review 5-1-02)(Dougherty) - Ladd Baker
- 6 HCS SCS SB 712, E.C. (Singleton) (Fiscal Review 5-2-02) - O'Toole
- 7 HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith
- 8 HCS SCS SB 1070, (Gibbons) - Hosmer
- 9 SCS SB 915, 710 & 907, (Westfall) - Koller
- 10 HCS SCS SB 894, 975 & 927, E.C. - O'Toole
- 11 HCS SS SCS SB 1009 - Luetkenhaus
- 12 HCS SB 856 - Rizzo

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1849, E.C. - Barnitz
- 2 SCS HB 2022 - Richardson
- 3 SCS HB 2047 - Ransdall
- 4 SCS HB 1477 - Farnen

- 5 SCS HB 1635 - Hoppe
- 6 SCS HB 1964 - Gambaro
- 7 SCS HB 1548 - Barry
- 8 SCS HB 2009 - O'Connor

### **BILL CARRYING REQUEST MESSAGES**

SCS HB 2120, (Request Senate recede/grant conference) - Ridgeway

### **BILLS IN CONFERENCE**

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall
- 8 SCS HCS HB 1108 - Kelly (27)
- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)
- 11 SCS HCS HB 1111, as amended - Troupe
- 12 SCS HCS HB 1112 - Bonner



# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-FOURTH DAY, FRIDAY, MAY 3, 2002

Speaker Kreider in the Chair.

Prayer by Damon Shelby Porter, Chief of Staff, Office of the Speaker.

Glory and honor to You. God have patience with us and let us be patient with one another. Lord help us to remember that the seeds we plant today may not even sprout during this session or even in our lifetime. Nevertheless, keep us faithful to that which You have called us to be and to do. Amen

The Pledge of Allegiance to the flag was recited.

## SECOND READING OF SENATE JOINT RESOLUTION

**SJR 24** was read the second time.

## SECOND READING OF SENATE BILLS

**SB 713, SS #2 SCS SB 1152 and SCS SB 1266** were read the second time.

On motion of Representative Kreider, the House recessed until 2:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Kreider.

## REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

**SCS SB 1266** - Local Government and Related Matters

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 5**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS HCR 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate third read and passed **HCR 16**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1032**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1078**, entitled:

An act to amend chapter 221, RSMo, by adding thereto one new section authorizing a sales tax for regional jail districts and associated court facilities, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SBs 1086 & 1126** and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SB 1248, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1265**, entitled:

An act to amend chapter 302, RSMo, by adding thereto one new section relating to registration with the Selective Service system, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1313**, entitled:

An act to repeal section 334.540, RSMo, and to enact in lieu thereof one new section relating to physical therapists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1342**.

Emergency Clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1375**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1492**, entitled:

An act to repeal section 130.046, RSMo, relating to elections, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1495**, entitled:

An act to repeal section 130.016, RSMo, relating to elections, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1519**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1636**, entitled:

An act to repeal section 115.507, RSMo, and to enact in lieu thereof one new section relating to election authority verification boards.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1668**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to adopt the **CCR on HCS for HB 1711, as amended**, and requests the House to grant the Senate further conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1776**, entitled:

An act to repeal sections 28.160 and 59.800, RSMo, and to enact in lieu thereof two new sections relating to certain state fund accounts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1783**, entitled:

An act to repeal sections 161.400, 161.403, 161.405, 161.407, 191.928, 191.934, 209.285, 209.287, 209.292, 209.318, 202.319, 209.321, 209.323, 209.326, 209.334, 476.750, 476.760 and 476.763, RSMo, and to enact in lieu thereof twenty new sections relating to the deaf and hard of hearing.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1822**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1840**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1921**, entitled:

An act to repeal sections 370.061 and 370.120, RSMo, and to enact in lieu thereof two new sections relating to credit unions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1937**, entitled:

An act to repeal sections 324.147, 324.150 and 324.171, RSMo, and to enact in lieu thereof three new sections relating to the licensure of clinical perfusionists.

With Senate Committee Amendment No. 1.

*Senate Committee Amendment No. 1*

AMEND House Bill No. 1937, Page 1, Section 324.147, Line 8, by striking the word “unless” and inserting in lieu thereof the word “**if**”; and further amend line 9, by striking the word “**has**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2001**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2117**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 2120** and grants the House a Conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 2120**: Senators Gibbons, Gross, Yeckel, Goode and Kennedy.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 43**.

SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE CONCURRENT RESOLUTION NO. 43

WHEREAS, Missouri law requires parental consent of at least one parent in order for a minor to obtain an abortion, unless excused by a court; and

WHEREAS, Illinois law contains no such parental consent requirement; and

WHEREAS, as a result, Missouri resident minors may cross the state border to Illinois to access abortion providers in order to avoid state law; and

WHEREAS, Illinois abortion providers advertise in Missouri phone books that "no parental consent (is required) in Illinois", and by so doing, actively encourage the breaking of Missouri law and violation of parental rights over the welfare of their daughters:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby implore the General Assembly of the State of Illinois either to enact a law to require parental consent prior to allowing a minor to obtain an abortion or, if no such law is enacted, that the State of Illinois recognize Missouri law requiring parental consent prior to allowing a minor to obtain an abortion; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution to Governor George H. Ryan of Illinois and the President Pro Tempore James "Pate" Philip and Speaker of the House Michael Madigan for the State of Illinois.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has third read and passed **SCR 66**.

SENATE CONCURRENT RESOLUTION NO. 66

An act by concurrent resolution to conduct a study of pathological or serious problem gambling and problem gambling in this state.

WHEREAS, gambling in its many forms is now an established aspect of life in this state; and

WHEREAS, gambling creates an unknown number of Missouri citizens that can be considered pathological or serious problem gamblers and problem gamblers; and

WHEREAS, pathological or serious problem gamblers and problem gamblers constitute an unknown cost to the state and its political subdivisions in terms of crime, bankruptcy, other bad debts, prosecution costs and social services costs; and

WHEREAS, pathological or serious problem gamblers and problem gamblers also negatively impact their families, their communities and the business community of this state; and

WHEREAS, a comprehensive legal and factual study is needed to determine the true impact of pathological or serious problem gamblers and problem gamblers in this state; and

WHEREAS, the universities of this state have the personnel with both the academic and professional expertise to conduct a comprehensive legal and factual study of pathological or serious problem gamblers and problem gamblers in this state:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby direct the joint committee on wagering and gaming ("committee") to solicit competitive bids from the universities of this state to conduct a comprehensive legal and factual study of pathological or serious problem gambling and problem gambling in this state; and

BE IT FURTHER RESOLVED that the General Assembly directs the committee to select the university that submits the best and lowest bid, with primary consideration given to the institution that best demonstrates the ability to answer the study questions outlined below and possesses the economists and social scientists with the highest academic and professional qualifications and demonstrates the greatest capability to deliver the best data in response to the study questions; and

BE IT FURTHER RESOLVED that the General Assembly directs that the selected university shall conduct a comprehensive study of the economic and social impact of pathological or serious problem gambling and problem gambling in this state. The study shall include a review of existing policies and practices with respect to the prevention and treatment of pathological or serious problem gambling and problem gambling and the formulation and proposal of necessary and appropriate changes in those policies and practices; and

BE IT FURTHER RESOLVED that the General Assembly directs all state agencies to cooperate with the selected university in any attempts to obtain information regarding any aspect or effect of pathological or serious problem gambling and problem gambling; and

BE IT FURTHER RESOLVED that the General Assembly directs the selected university to answer the following study questions:

(1) The economic impact of pathological or serious problem gambling on the economy of the state of Missouri, on Missouri businesses and on the political subdivisions of this state including, but not limited to:

(a) An assessment of the percentage of residents of this state that are pathological or serious problem gamblers;

(b) The percentage of the Missouri population that are problem gamblers; and

(c) A determination of how much money an individual pathological or serious problem gambler costs society each year in terms of crimes, bankruptcy, other bad debts, prosecution and incarceration costs and other social service costs; and the total amount of money lost annually by pathological or serious problem gamblers in this state;

(2) The economic impact of pathological or serious problem gambling on other businesses, including at least theft and decreased revenues resulting in part or in whole from the shifting of disposable income to gambling outlets and the decrease in general revenues to the state reflected in these decreased revenues;

(3) An assessment of the relationship between pathological or problem gambling and crime;

(4) An assessment of the impact of pathological or serious problem gambling on individuals, families, social institutions, criminal activity, and the economy;

(5) A review of the demographics of pathological or serious problem gamblers; and

(6) A review of the costs and effectiveness of state and federal gambling regulatory policy; and

BE IT FURTHER RESOLVED that the General Assembly directs the selected university to complete its study and submit its final report to the Governor and the General Assembly not later than January 31, 2004, which report shall contain a detailed statement of the findings and conclusions of the university with its recommendations for legislation and administrative actions as the university deems appropriate; and

BE IT FURTHER RESOLVED that the General Assembly directs that the director of the department within the university that supervises and administers the conduct of the study may hold hearings, administer oaths, take testimony, receive evidence, and require by subpoena the attendance and testimony of witnesses and the production of materials as the director considers advisable to carry out the purposes of the study and may employ and terminate additional staff as necessary to carry out the study; and

BE IT FURTHER RESOLVED that the General Assembly directs that any subpoena of the director shall be served in the manner provided for a subpoena issued by a circuit court pursuant to Missouri rules of civil procedure; and

BE IT FURTHER RESOLVED that upon the request of the director, the General Assembly directs the head of any state agency to furnish the director with the information considered necessary by the director to carry out the study; and

BE IT FURTHER RESOLVED that the General Assembly may appropriate up to two hundred thousand dollars to the selected university to fund the study; and

BE IT FURTHER RESOLVED that the General Assembly directs that any money appropriated to the selected university to carry out the study which remains unused as of January 1, 2005 shall be transferred and placed to the credit of the state general revenue fund pursuant to section 33.080, RSMo; and

BE IT FURTHER RESOLVED that a properly inscribed copy of this resolution be sent to the Governor for his approval or rejection pursuant to the Article III, Section 31 of the Missouri Constitution.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Green (73), Franklin, Bonner, Legan, Wilson (42), Bearden, Ransdall, Fares, Jetton, Quinn, Barnitz, Koller and Gratz.

### **ADJOURNMENT**

On motion of Representative Kreider, the House adjourned until 2:00 p.m., Monday, May 6, 2002.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE**

Monday, May 6, 2002. Side gallery upon evening adjournment.  
Executive Session.  
Public Hearing to be held on: SB 837

#### **BANKS AND FINANCIAL INSTITUTIONS**

Monday, May 6, 2002. Hearing Room 3 upon adjournment.  
Executive Session may follow.  
Public Hearing to be held on: SB 1191

#### **FISCAL REVIEW AND GOVERNMENT REFORM**

Monday, May 6, 2002. Hearing Room 5 upon evening adjournment.  
Fiscal Review.  
Public Hearing to be held on: HB 1594, HB 1886, SB 675, SB 712, SB 810

#### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Tuesday, May 7, 2002, 8:00 a.m. Capitol Building Room 221.

**JUDICIARY**

Tuesday, May 7, 2002, 1:00 p.m. Hearing Room 5.

Executive Session to be held on: SB 931

**UTILITIES REGULATION**

Monday, May 6, 2002, 1:00 p.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 900

**HOUSE CALENDAR**

SIXTY-FIFTH DAY, MONDAY, MAY 6, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1231 - Harding
- 2 HCS HB 1318 - George
- 3 HCS HB 1914 - Mays (50)
- 4 HCS HB 1680 - Hampton
- 5 HB 1708 - Daus
- 6 HB 1427 - Hosmer
- 7 HCS HB 1863 - Whorton
- 8 HCS HB 1923 - Barry
- 9 HB 1813 - Monaco
- 10 HB 1530 - Hoppe
- 11 HB 1721 - Shelton
- 12 HB 1211 - Smith
- 13 HB 1191 - Davis
- 14 HB 1198 - Graham
- 15 HB 1794, HCA 1 - Legan
- 16 HCS HB 1570 - Koller
- 17 HCS HB 1780 - Green (73)
- 18 HCS HB 1445 - Smith
- 19 HB 1663 - Seigfreid
- 20 HB 1596 - Harding
- 21 HB 1084 - Fraser
- 22 HCS HB 1321 & 1491 - Williams
- 23 HCS HB 1723 - Boucher
- 24 HB 1485 - Johnson (90)
- 25 HB 1439, HCA 1 - Myers
- 26 HB 1970 - Townley
- 27 HB 1052 - Ward
- 28 HCS HB 1725 - Walton
- 29 HB 1609 - Robirds
- 30 HCS HB 1828 - Cunningham



- 31 HCS HB 1407 - Riback Wilson (25)
- 32 HCS HB 1889 & 1946 - Foley
- 33 HCS HB 2065 - Ransdall
- 34 HCS HB 1077, 1187 & 1579 - Jolly
- 35 HCS HB 1599 - Lawson

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker
- 3 HB 2160, as amended - Britt
- 4 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 5 HB 1916 - Franklin

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HB 1594, (Fiscal Review 4-29-02) - Gratz
- 3 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo

#### **SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

- 1 SCS SCR 43
- 2 SCR 66

#### **SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 46, (3-12-02, Pages 570-571) (Dougherty) - Johnson (61)
- 2 SCR 37, (2-13-02, Pages 276-277) (Dougherty) - Johnson (61)
- 3 SCR 36, (3-12-02, Pages 567-568) (Bentley) - Davis
- 4 SCS SCR 47, (3-12-02, Pages 571-572) (Childers) - Gaskill
- 5 SCR 54, (4-3-02, Page 829) (Sims) - Fares

#### **SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SCS SB 729, (Yeckel) - Luetkenhaus
- 3 SB 812, (Russell) - Holand
- 4 SB 726, (Childers) - Gaskill
- 5 SB 865, (Foster) - Myers
- 6 SCS SB 918, (Klarich) - Linton

- 7 SB 1109, (Yeckel) - Portwood
- 8 SCS SB 1207, (Bentley) - Holand
- 9 SCS SB 1151, (Kinder) - Myers
- 10 SCS SB 874, (Bentley) - Franklin
- 11 SCS SB 1182, (Singleton) - Barry
- 12 SCS SB 1024, (Bentley) - Holand
- 13 SB 976, (Steelman) - Portwood
- 14 SB 644, (Mathewson) - Davis
- 15 SCS SB 1241, 1253 & 1189, (Coleman) - Boykins
- 16 SCS SB 966, (Kennedy) - Gambaro
- 17 SB 798, (Westfall) - Ross
- 18 SCS SB 745, (Russell) - Kelly (144)
- 19 SB 831, (Loudon) - Gambaro
- 20 SCS SB 656, (Rohrbach) - Luetkenhaus

#### **SENATE BILLS FOR THIRD READING**

- 1 HCS SS SS SCS SB 970, 968, 921, 867, 868 & 738, (Westfall) - Koller
- 2 HCS SB 895, (Yeckel) - Liese
- 3 HCS SS SCS SB 675, E.C. (Fiscal Review 5-1-02)(Yeckel) - Seigfreid
- 4 SS SCS SB 884, (DePasco) - Liese
- 5 HCS SCS SB 810, (Fiscal Review 5-1-02)(Dougherty) - Ladd Baker
- 6 HCS SCS SB 712, E.C. (Singleton) (Fiscal Review 5-2-02) - O'Toole
- 7 HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith
- 8 HCS SCS SB 1070, (Gibbons) - Hosmer
- 9 SCS SB 915, 710 & 907, (Westfall) - Koller
- 10 HCS SCS SB 894, 975 & 927, E.C. - O'Toole
- 11 HCS SS SCS SB 1009 - Luetkenhaus
- 12 HCS SB 856 - Rizzo

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1849, E.C. - Barnitz
- 2 SCS HB 2022 - Richardson
- 3 SCS HB 2047 - Ransdall
- 4 SCS HB 1477 - Farnen
- 5 SCS HB 1635 - Hoppe
- 6 SCS HB 1964 - Gambaro
- 7 SCS HB 1548 - Barry
- 8 SCS HB 2009 - O'Connor
- 9 SCS HB 1078 - Whorton
- 10 SCS SB 1636 - Hoppe
- 11 SCS HB 1313 - Burton
- 12 HB 1937, SCA 1 - Barry
- 13 SCS HB 1776 - Harlan

- 14 SCS HB 1783 - Lowe
- 15 SCS HB 1921 - Green (73)
- 16 SCS HB 1492 - Seigfreid
- 17 SCS HB 1495 - Seigfreid
- 18 SCS HB 1265 - Gratz

#### **BILLS CARRYING REQUEST MESSAGES**

- 1 HCS HB 1711, as amended (Senate refuses to adopt CCR/  
request House grant further conference) - Graham
- 2 HS HCS SS SB 1248, as amended (request House  
recede/grant conference) - Foley
- 3 HCS SCS SB 1086 & 1126, (request House recede/grant  
conference) - Hoppe

#### **BILLS IN CONFERENCE**

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall
- 8 SCS HCS HB 1108 - Kelly (27)
- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)
- 11 SCS HCS HB 1111, as amended - Troupe
- 12 SCS HCS HB 1112 - Bonner
- 13 SCS HB 2120 - Ridgeway

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-FIFTH DAY, MONDAY, MAY 6, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

God, the goal seems both near and remote today, the way there stony. In the waning days of this session, in order that alarm not set in, we take the first step and put ourselves in Your hands. With you in our heart, on our lips, and close at our side, we take up the challenge. Our purpose attends on the people of this state, whom You love so well. We cannot lose.

In conflict, let it be You who brings convergence. In contradiction and foment, we claim Your still point of silent centeredness. In exhaustion and agitation, let Your suppleness and flexibility fuel us. Our representatives have a dwindling number of days left them. Help them, that today be for Missouri's benefit and advance. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Andrew Cribbin and Joseph Cribbin.

The Journal of the sixty-third day was approved as corrected.

The Journal of the sixty-fourth day was approved as printed.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Campbell	Carnahan	Champion	Cooper	Copenhaver
Crawford	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144

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Kelly 27	King	Koller	Lawson	Legan
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 002

Crowell Reynolds

ABSENT WITH LEAVE: 016

Baker	Behnen	Berkstresser	Burton	Byrd
Cierpiot	Clayton	Gaskill	Harlan	Hohulin
Holand	Kelly 36	Lograsso	Long	Mays 50
McKenna				

VACANCIES: 001

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1764  
and

House Resolution No. 1765	- Representative Schwab
House Resolution No. 1766	- Representative Townley
House Resolution No. 1767	- Representatives Monaco and Bonner
House Resolution No. 1768	- Representative Treadway
House Resolution No. 1769	- Representative Naeger
House Resolution No. 1770	- Representative Troupe
House Resolution No. 1771	- Representative Riback Wilson (25)
House Resolution No. 1772	- Representative Henderson
House Resolution No. 1773	- Representative Clayton
House Resolution No. 1774	- Representative Naeger
House Resolution No. 1775	
through	
House Resolution No. 1777	- Representative Gratz
House Resolution No. 1778	- Representative Mays (50)
House Resolution No. 1779	- Representative Gratz

## SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**SCS SCR 43** and **SCR 66** were read the second time.

## BILLS CARRYING REQUEST MESSAGES

**CCS HCS HB 1711, as amended**, relating to state school aid, was taken up by Representative Graham.

Representative Graham moved that the House refuse to grant the Senate a further conference on **HCS HB 1711, as amended**, and request the Senate to take up and adopt **CCR HCS HB 1711, as amended**, and truly agree to and finally pass **CCS HCS HB 1711**.

Which motion was adopted by the following vote:

AYES: 101

Abel	Baker	Barnitz	Behnen	Berkowitz
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crump	Cunningham	Curls	Daus	Davis
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Luetkenhaus
Marsh	Mays 50	Monaco	Murphy	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Quinn	Ransdall	Reid	Relford	Reynolds
Rizzo	Scott	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 054

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Berkstresser	Black	Burcham	Burton	Byrd
Cierpiot	Crawford	Crowell	Dempsey	Enz
Froelker	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Long
Luetkemeyer	Marble	May 149	Mayer	Merideth
Miller	Moore	Naeger	Nordwald	Portwood
Purgason	Rector	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Secrest
Shoemaker	Townley	Whorton	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 007

Barry 100	Gaskill	Hohulin	Lograsso	McKenna
Myers	Scheve			

VACANCIES: 001

**HS HCS SS SB 1248, as amended**, relating to school funding, was taken up by Representative Foley.

Representative Foley moved that the House refuse to recede from its position on **HS HCS SS SB 1248, as amended**, and grant the Senate a conference.

Which motion was adopted.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HS HCS SS SB 1248:** Representatives Foley, Kreider, Graham, Hanaway and Cooper

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1849**, relating to conveyance in Crawford County, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **SCS HB 1849** was adopted by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Franklin	Fraser	Froelker
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Hegeman	Henderson	Hendrickson	Hickey
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall

Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Clayton	Foley	Gambaro	Gaskill
Green 73	Haywood	Hilgemann	Hohulin	Jones
Kelly 27	Liese	Lograsso	McKenna	Scheve

VACANCIES: 001

On motion of Representative Barnitz, **SCS HB 1849** was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Franklin	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				



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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bray 84	Foley	Gaskill	Green 73
Hohulin	Kelly 27	Lograsso	McKenna	Scheve
Williams				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 001

Roark

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Foley	Gaskill	Green 73	Hohulin
Lograsso	McKenna	Scheve	Wagner	Williams
Wilson 42				

VACANCIES: 001

**SCS HB 2022**, relating to community college tax rates, was taken up by Representative Richardson.

On motion of Representative Richardson, **SCS HB 2022** was adopted by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Murphy

PRESENT: 000

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ABSENT WITH LEAVE: 009

Baker	Cierpiot	Gaskill	Harlan	Hohulin
Lograsso	McKenna	Relford	Willoughby	

VACANCIES: 001

On motion of Representative Richardson, **SCS HB 2022** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Foley	Franklin	Gaskill	Harlan
Hohulin	Lograsso	McKenna		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 2047**, relating to students on active military service, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **SCS HB 2047** was adopted by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambara
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Copenhaver	Foley	Franklin	Gaskill
Harlan	Hohulin	Lograsso	McKenna	

VACANCIES: 001

On motion of Representative Ransdall, **SCS HB 2047** was truly agreed to and finally passed by the following vote:

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AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Crawford	Foley	Franklin	Gaskill
Harlan	Hohulin	Lograsso	McKenna	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 1964**, relating to neighborhood association, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **SCS HB 1964** was adopted by the following vote:

AYES: 154

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Troupe

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Baker	Gaskill	Harlan	Hohulin	Lograsso
McKenna				

VACANCIES: 001

On motion of Representative Gambara, **SCS HB 1964** was truly agreed to and finally passed by the following vote:

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AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 011

Baker	Carnahan	Copenhaver	Gaskill	Green 73
Harlan	Hohulin	Hunter	Kelly 27	Lograsso
McKenna				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 1477**, relating to the Missouri Health and Education Facilities Act, was taken up by Representative Farnen.

On motion of Representative Farnen, **SCS HB 1477** was adopted by the following vote:

AYES: 155

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Carnahan	Gaskill	Green 73	Harlan
Lograsso	McKenna			

VACANCIES: 001

On motion of Representative Farnen, **SCS HB 1477** was truly agreed to and finally passed by the following vote:

AYES: 156

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls



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Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker	Carnahan	Gaskill	Harlan	Lograsso
McKenna				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 1548**, relating to hearing screening for newborns, was taken up by Representative Barry.

On motion of Representative Barry, **SCS HB 1548** was adopted by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73

Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Hohulin                      Troupe

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Byrd	Cooper	Franklin	Gaskill
Harlan	Hunter	McKenna		

VACANCIES: 001

On motion of Representative Barry, **SCS HB 1548** was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble

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Marsh	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Hohulin                      Troupe

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Franklin	Gaskill	Harlan	Lograsso
May 149	McKenna	Reynolds	Robirds	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 1078**, relating to regional jail district taxes, was taken up by Representative Whorton.

On motion of Representative Whorton, **SCS HB 1078** was adopted by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Curls	Daus	Davis	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Harding	Hartzler	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Purgason	Quinn
Ransdall	Reinhart	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab

Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 017

Byrd	Cunningham	Dempsey	Hanaway	Haywood
Hendrickson	Hohulin	Holt	Jones	Kelly 27
Portwood	Rector	Reid	Reynolds	Roark
Thompson	Troupe			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Baker	Bland	Franklin	Gaskill	Harlan
McKenna				

VACANCIES: 001

On motion of Representative Whorton, **SCS HB 1078** was truly agreed to and finally passed by the following vote:

AYES: 135

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Harding
Hartzler	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hunter	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Paone	Phillips	Purgason
Quinn	Ransdall	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 020

Burcham	Byrd	Crowell	Cunningham	Dempsey
Hanaway	Haywood	Hendrickson	Hohulin	Holt
Jetton	Jones	Murphy	O'Toole	Portwood
Rector	Reid	Reynolds	Roark	Wilson 42

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Baker	Franklin	Gaskill	Harlan	Hosmer
McKenna				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 1313**, relating to physical therapy, was taken up by Representative Burton.

Representative Burton moved that the House refuse to adopt **SCS HB 1313** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**HB 1937, with Senate Committee Amendment No. 1**, relating to perfusion, was taken up by Representative Barry.

On motion of Representative Barry, the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller

Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 008

Baker	Gaskill	Graham	Green 73	Harlan
Lograsso	McKenna	Murphy		

VACANCIES: 001

On motion of Representative Barry, **HB 1937, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway

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Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 012

Baker	Bartelsmeyer	Foley	Franklin	Gaskill
Harlan	Holand	Hosmer	Lograsso	McKenna
Murphy	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 1783**, relating to the Missouri Commission for the Deaf, was taken up by Representative Lowe.

On motion of Representative Lowe, **SCS HB 1783** was adopted by the following vote:

AYES: 152

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson

Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Foley	Franklin	Gaskill	Harlan
Hosmer	Lawson	Linton	McKenna	Paone

VACANCIES: 001

On motion of Representative Lowe, **SCS HB 1783** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 009

Baker	Franklin	Gaskill	Harlan	Hosmer
McKenna	Paone	Reynolds	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Britt assumed the Chair.

**SCS HB 1921**, relating to credit union examination, was taken up by Representative Green (73).

On motion of Representative Green (73), **SCS HB 1921** was adopted by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bartelsmeyer	Byrd	Crowell	Franklin
Gaskill	Harlan	McKenna	Merideth	Paone
Phillips				

VACANCIES: 001

On motion of Representative Green (73), **SCS HB 1921** was truly agreed to and finally passed by the following vote:

AYES: 153

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Berkstresser	Franklin	Gaskill	Harlan
Hosmer	McKenna	Merideth	Paone	

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS HB 1492**, relating to campaign finance disclosure, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **SCS HB 1492** was adopted by the following vote:

AYES: 151

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Murphy	Selby	Thompson
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PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Ballard	Franklin	Gaskill	Green 73
Johnson 61	McKenna	Paone		

VACANCIES: 001

On motion of Representative Seigfreid, **SCS HB 1492** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Murphy Selby

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Copenhaver	Franklin	Gaskill	Green 73
Hilgemann	Johnson 61	Liese	McKenna	Paone
Shoemaker	Van Zandt			

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS HB 1495**, relating to campaign finance disclosure, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **SCS HB 1495** was adopted by the following vote:

## 1629 *Journal of the House*

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Koller	Lawson	Legan
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Berkstresser	Crump	Cunningham	Froelker
Gaskill	Green 73	King	Liese	May 149
McKenna	Murphy	O'Toole	Shoemaker	Van Zandt
Williams				

VACANCIES: 001

On motion of Representative Seigfreid, **SCS HB 1495** was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Berkstresser	Franklin	Gaskill	Green 73
Johnson 61	Liese	McKenna	O'Toole	Van Zandt

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS HB 1265**, relating to registration with selective service, was taken up by Representative Gratz.

On motion of Representative Gratz, **SCS HB 1265** was adopted by the following vote:

## 1631 *Journal of the House*

AYES: 146

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Ballard	Bartelsmeyer	Hohulin	May 149	Ostmann
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PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Crump	Franklin	Gaskill	Green 73
Hilgemann	Liese	McKenna	Murphy	O'Toole
Van Zandt				

VACANCIES: 001

On motion of Representative Gratz, **SCS HB 1265** was truly agreed to and finally passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan

Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marsh	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Naeger	Nordwald
O'Connor	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 005

Bartelsmeyer	Hohulin	Long	May 149	Ostmann
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PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Franklin	Gaskill	Green 73	Hilgemann
Liese	Marble	McKenna	Murphy	Myers
O'Toole	Van Zandt	Williams	Willoughby	

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS HB 1776**, relating to county recorders of deeds, was taken up by Representative Harlan.

On motion of Representative Harlan, **SCS HB 1776** was adopted by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15



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Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Barry 100	Franklin	Gaskill	Green 73
Liese	Lograsso	McKenna	Murphy	Nordwald
O'Toole	Reynolds	Van Zandt	Willoughby	

VACANCIES: 001

On motion of Representative Harlan, **SCS HB 1776** was truly agreed to and finally passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor

O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Boykins	Franklin	Gaskill	Green 73
Harding	Hunter	Liese	McKenna	Murphy
Wilson 42				

VACANCIES: 001

Representative Britt declared the bill passed.

Speaker Kreider assumed the Chair.

### **THIRD READING OF SENATE BILL**

**HCS SB 895**, relating to banking regulations, was taken up by Representative Liese.

Representative Liese offered **HS HCS SB 895**.

Representative Smith offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 895, Section 362.245, Page 69, Line 20, by deleting the word “five” and inserting in lieu thereof the word “**three**”; and

Further amend said bill, Section 362.245, Page 71, Line 8, by inserting immediately after said line the following:

“362.265. 1. The stockholders at any annual or special meeting, provided notice of the proposed change be given in the notice of the meeting, may, by a majority of all the votes of the stockholders of the bank or trust company, change by resolution the number of its directors to such number, not less than [five] **three** nor more than thirty-five, as they may decide.

2. The directors at any regular or special meeting of directors, by a two-thirds majority vote of the total number thereof, may increase the number of directors by adding not more than two additional directors during any one year unless the added directors would increase the total number of directors to more than thirty-five. The increase shall be effective only until the next regular stockholders' meeting, at which time the stockholders shall approve or reject such increase.

3. A copy of every stockholders' or directors' resolution changing the number of directors shall be immediately filed in the office of the director of finance.”; and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Smith moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Ribback Wilson (25) offered **House Amendment No. 2**.

Representative Wright raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hanaway offered **House Amendment No. 2**.

Representative Luetkemeyer raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Johnson (90) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 895 by inserting in the appropriate location the following section:

"454.507. 1. In addition to the authority of the division to request information pursuant to section 454.440, the division may request information from financial institutions pursuant to this section.

2. As used in this section:

(1) "Account" includes a demand deposit, checking or negotiable withdrawal order account, savings account, time deposit account or money market mutual fund account;

(2) "Encumbered assets", the noncustodial parent's interest in an account which is encumbered by a lien arising by operation of law or otherwise;

(3) "Financial institution" includes:

(a) A depository institution as defined in section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. section 1813(c));

(b) An institution affiliated party as defined in section 3(u) of the Federal Deposit Insurance Act (12 U.S.C. section 1813(u));

(c) Any federal credit union or state credit union, as defined in section 101 of the Federal Credit Union Act (12 U.S.C. section 1752), including an institution affiliated party of such a credit union as defined in section 206(r) of the Federal Credit Union Act (12 U.S.C. section 1786(r)); or

(d) Any benefit association, insurance company, safe deposit company, money market fund or similar entity authorized to do business in the state.

3. The division shall enter into agreements with financial institutions to develop and operate a data match system which uses automated exchanges to the maximum extent feasible. Such agreements shall require the financial institution, to provide to the division, for each calendar quarter, the name, record address, Social Security number or other taxpayer identification number, and other identifying information of each noncustodial parent who maintains an account at such institution and who owes past due support, as identified by the division by name and Social Security number or other taxpayer identification number. The financial institution shall only provide such information stated

in this subsection that is readily available through existing data systems, and as such data systems are enhanced, solely at the financial institution's discretion and for its business purposes, the financial institution shall provide any original and additional information which becomes readily available for any new data match request.

4. The division shall pay a reasonable fee to the financial institution for conducting the data match pursuant to this section, but such amount shall not exceed the costs incurred by the financial institution.

5. The division [of] **or** a IV-D agency may issue liens against any account in a financial institution and may release such liens.

6. (1) If a notice of lien is received from the division or a IV-D agency, the financial institutions shall immediately encumber the assets held by such institution on behalf of any noncustodial parent who is subject to such lien. However, if the account is in the name of a noncustodial parent and such parent's spouse **or parent**, the financial institution at its discretion may not encumber the assets and when it elects not to encumber such assets, shall so notify the division or IV-D agency. The amount of assets to be encumbered shall be stated in the notice and shall not exceed the amount of unpaid support due at the time of issuance. [The financial institution shall, within five business days of receipt of such notice, mail a copy of the notice of lien to the noncustodial parent and any other person named on the account at the address shown in the records of the financial institution.] **The financial institution shall, within five business days of receipt of a notice of lien, notify the division or IV-D agency of the financial institution's response to the notice of lien.**

**(2) Within five business days of notification by the financial institution that assets have been encumbered, the division or IV-D agency shall notify by mail the noncustodial parent of the issuance of the lien and the reasons for such issuance. The notice shall advise the noncustodial parent of the procedures to contest such lien pursuant to section 454.475 by requesting a hearing within thirty days from the date the notice was mailed by the division to the noncustodial parent.**

7. (1) Except as provided in subsection 6 of this section, the interest of the noncustodial parent shall be presumed equal to all other joint owners, unless at least one of the joint owners provides the division or IV-D agency with a true copy of a written agreement entered prior to the date of issuance of notice of lien, or other clear and convincing evidence regarding the various ownership interests of the joint owners within twenty days of the financial institution's mailing of the notice of lien. The financial institution shall only encumber the amount presumed to belong to the noncustodial parent. The division or IV-D agency may proceed to issue an order for the amount in the account presumed to belong to the noncustodial parent if no prior written agreement or other evidence is provided.

(2) If a prior written agreement or other clear and convincing evidence is furnished to the division, and based on such agreement or evidence the division or IV-D agency determines that the interest of the noncustodial parent is less than the presumed amount, the division or IV-D agency shall amend the lien to reflect the amount in the account belonging to the noncustodial parent or shall release the lien if the noncustodial parent has no interest in the account. In no event shall the division or IV-D agency obtain more than the presumed amount of the account without a judicial determination that a greater amount of the account belongs to the noncustodial parent. The division or IV-D agency may by levy and execution on a judgment in a court of competent jurisdiction seek to obtain an amount greater than the amount presumed to belong to the noncustodial parent upon proof that the noncustodial parent's interest is greater than the amount presumed pursuant to this subsection.

(3) For purposes of this subsection, accounts are not joint accounts when the noncustodial parent has no legal right to the funds, but is either a contingent owner or agent. Such nonjoint accounts shall include, but are not limited to, a pay-on-death account or any other account in which the noncustodial parent owner may act as agent by a power of attorney or otherwise. Furthermore, when any account naming the noncustodial parent has not been disclosed to the noncustodial parent which is evidenced by a signature card or other deposit agreement not containing the signature of such noncustodial parent, then for the purposes of this subsection, such account shall not be treated as a joint account.

(4) Notwithstanding any other provision of this section, a financial institution shall not encumber any account of less than one hundred dollars.

8. Upon service of an order to surrender issued pursuant to this section, any financial institution in possession of a jointly owned account may interplead such property as otherwise provided by law.

9. Any other joint owner may petition a court of competent jurisdiction for a determination that the interests of the joint owners are disproportionate. The party filing the petition shall have the burden of proof on such a claim. If subject to the jurisdiction of the court, all persons owning affected accounts with a noncustodial parent shall be made parties to any proceeding to determine the respective interests of the joint owners. The court shall enter an appropriate order determining the various interests of each of the joint owners and authorizing payment against the obligor's share for satisfaction of the child support or maintenance obligation.

10. The court may assess costs and reasonable attorney's fees against the noncustodial parent if the court determines that the noncustodial parent has an interest in the affected joint account.

11. The division may order the financial institution to surrender all or part of the encumbered assets. The order shall not issue until sixty days after the notice of lien is sent to the financial institution. The financial institution shall, within seven days of receipt of the order, pay the encumbered amount as directed in the order to surrender. **If the noncustodial parent contests a lien pursuant to subdivision (2) of subsection 6 of this section and a hearing is pending, the bank shall retain the surrendered funds in escrow pending the hearing determination.**

12. A financial institution shall not be liable pursuant to any state or federal law, including 42 U.S.C. section 669A, to any person for:

- (1) Any disclosure of information to the division pursuant to this section;
- (2) Encumbering or surrendering any assets held by the financial institution in response to a lien or order pursuant to this section and notwithstanding any other provisions in this section to the contrary, encumbering or surrendering assets from any account in the financial institution connected in any way to the noncustodial parent; or
- (3) Any other action taken in good faith to comply with the requirements of this section.

13. A financial institution that fails without due cause to comply with a notice of lien or order to surrender issued pursuant to this section shall be liable for the amount of the encumbered assets and the division may bring an action against the financial institution in circuit court for such amount. For purposes of this subsection, "due cause" shall include, but not be limited to, when a financial institution demonstrates to a court of competent jurisdiction that the institution established in good faith a routine to comply with the requirements of this section and that one or more transactions to enforce the lien or order to surrender were not completed due to an accidental error, a misplaced computer entry, or other accidental human or mechanical problems."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 2** was adopted.

On motion of Representative Liese, **HS HCS SB 895, as amended**, was adopted.

On motion of Representative Liese, **HS HCS SB 895, as amended**, was read the third time and passed by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt

Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Foley	Gaskill	Green 73	Harlan
Johnson 61	Long	McKenna	Williams	Willoughby

VACANCIES: 001

Speaker Kreider declared the bill passed.

## RECONSIDERATION

Representative Shoemyer (9), having voted on the prevailing side, moved that the vote by which **HS HCS HB 1868** was defeated on third reading and final passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 107

Abel	Barnitz	Barry 100	Bartelsmeyer	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bray 84	Britt	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crowell	Crump	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Franklin	Fraser	Gambara	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hendrickson	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	King	Koller
Lawson	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marsh	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Ransdall	Reid	Reinhart	Reynolds
Rizzo	Ross	Scheve	Secrest	Seigfreid

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Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	St. Onge	Townley	Treadway	Villa
Vogel	Wagner	Ward	Whorton	Willoughby
Wilson 25	Mr. Speaker			

NOES: 043

Barnett	Bartle	Behnen	Boatright	Bowman
Boykins	Brooks	Burcham	Cierpiot	Cooper
Crawford	Cunningham	Froelker	Hegeman	Henderson
Hohulin	Holand	Hosmer	Johnson 61	Kelley 47
Kelly 144	Legan	Lograsso	May 149	Mayer
Mays 50	Purgason	Quinn	Rector	Relford
Ridgeway	Roark	Robirds	Schwab	Scott
Smith	Surface	Thompson	Troupe	Walker
Walton	Williams	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Foley	Gaskill	Harlan
Linton	Long	Marble	McKenna	Richardson
Van Zandt	Wilson 42			

VACANCIES: 001

**HS HCS HB 1868**, relating to regional taxicab commission, was taken up by Representative Barry.

On motion of Representative Barry, **HS HCS HB 1868** was read the third time and passed by the following vote:

AYES: 102

Abel	Barry 100	Bartelsmeyer	Bearden	Berkowitz
Berkstresser	Black	Bonner	Boucher	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Froelker	George	Graham	Green 15
Green 73	Griesheimer	Hanaway	Harding	Hartzler
Haywood	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
King	Koller	Lawson	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Mayer	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Ransdall	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Scheve	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
St. Onge	Treadway	Villa	Vogel	Ward
Whorton	Willoughby			

NOES: 047

Barnett	Barnitz	Bartle	Behnen	Bland
Boatright	Bowman	Boykins	Brooks	Cooper
Crawford	Curls	Gambaro	Hampton	Hegeman
Henderson	Hohulin	Hosmer	Johnson 61	Kelley 47
Kelly 144	Legan	Lograsso	Marsh	May 149
Mays 50	Merideth	Purgason	Quinn	Rector
Reid	Roark	Schwab	Skaggs	Smith
Surface	Thompson	Townley	Troupe	Van Zandt
Walker	Walton	Williams	Wilson 25	Wilson 42
Wright	Mr. Speaker			

PRESENT: 001

Copenhaver

ABSENT WITH LEAVE: 012

Baker	Ballard	Foley	Gaskill	Gratz
Hagan-Harrell	Harlan	Long	Marble	McKenna
Richardson	Wagner			

VACANCIES: 001

Speaker Kreider declared the bill passed.

### THIRD READING OF SENATE BILLS

**SS SCS SB 884**, relating to payday loans, was taken up by Representative Liese.

Representative Skaggs offered **House Amendment No. 1**.

**House Amendment No. 1** was withdrawn.

On motion of Representative Liese, **SS SCS SB 884** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144



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Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Shoemaker

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 012

Baker	Ballard	Bray 84	Gaskill	Green 73
Hickey	Johnson 61	Long	McKenna	Overschmidt
Richardson	Van Zandt			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**HCS SS SCS SBs 969, 673 & 855**, relating to sex crimes and crime prevention, was taken up by Representative Smith.

Representative Smith offered **HS HCS SS SCS SBs 969, 673 & 855**.

Representative Reid offered **House Amendment No. 1**.

Representative Smith raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hollingsworth offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, by inserting in the appropriate location the following:

"566.111. 1. For purposes of this section, the following terms mean:

- (1) "Animal", every creature, either alive or dead, other than a human being;
- (2) "Sexual conduct with an animal", any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying sexual desire.

2. No person shall engage in any sexual conduct with an animal, or cause, aid or abet another person to engage in any sexual conduct with an animal. No person shall permit any sexual conduct with an animal on any premises under such person's charge or control. No person shall engage in, promote, aid or abet any activity involving any sexual conduct with an animal for commercial or recreational purposes.

3. Any person who violates this section shall be guilty of a class D felony. Any person who violates this section in the presence of a minor or causes any animal serious physical injury or death while violating or attempting to violate this section shall be guilty of a class C felony.

4. In addition to the penalty imposed, the court may:

(1) Prohibit the defendant permanently or for a reasonable time from harboring animals or residing in any household where animals are present;

(2) Order the defendant to relinquish and permanently forfeit all animals residing in the defendant's household to a recognized or duly incorporated animal shelter or humane society, and order the defendant to reimburse such shelter or humane society for all reasonable costs incurred for the care and maintenance of the animals involved in the violation of this section; and

(3) Order psychological evaluation and counseling of the defendant, at the defendant's expense.

5. Nothing in this section shall be construed to prohibit generally accepted animal husbandry practices or generally accepted veterinary medical practices performed by a licensed veterinarian or veterinary technician.

6. Any person acting under authority of this section may seize any and all animals involved in the alleged violation. The defendant charged with violating this section shall be provided a disposition hearing pursuant to section 578.018, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith raised a point of order that **House Amendment No. 1** is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Hollingsworth, **House Amendment No. 1** was adopted.

Representative Luetkenhaus offered **House Amendment No. 2**.

Representative Smith raised a point of order that **House Amendment No. 2** is not germane to the bill.

Representative Smith raised an additional point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the points of order well taken.

Representative Wright offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, Page 18, Section 556.061, Line 25, by inserting the following:

“566.030. 1. A person commits the crime of forcible rape if such person has sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. Forcible rape or an attempt to commit forcible rape is a felony for which the authorized term of imprisonment is life **without possibility of parole** imprisonment or a term of years not less than [five] **ten** years, unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment **without possibility of parole** or a term of years not less than [ten] **fifteen** years.

566.060. 1. A person commits the crime of forcible sodomy if such person has deviate sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. Forcible sodomy or an attempt to commit forcible sodomy is a felony for which the authorized term of imprisonment is life imprisonment **without possibility of parole** or a term of years not less than [five] **ten** years, unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than [ten] **fifteen** years.

On motion of Representative Wright, **House Amendment No. 2** was adopted.

Representative Hosmer offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, Page 15, Section 556.061(8), Lines 5 and 6, by deleting all new language; and

Further amend said section, Line 8, by adding at the end of said line the following: “**or any attempt to commit any of the preceding felonies.**”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hosmer, **House Amendment No. 3** was adopted.

Representative Burton offered **House Amendment No. 4**.

Speaker Pro Tem Abel resumed the Chair.

Representative Monaco raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Johnson (90) offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, by inserting in the appropriate location the following:

“**565.200. 1. Any owner or employee of a skilled nursing facility, as defined in section 198.006, RSMo, or an Alzheimer's special unit or program, as defined in section 198.505, RSMo, who:**

(1) **Has sexual contact, as defined in section 566.010, RSMo, with a resident is guilty of a class B misdemeanor. Any person who commits a second or subsequent violation of this subdivision is guilty of a class A misdemeanor; or**

(2) **Has sexual intercourse or deviate sexual intercourse, as defined in section 566.010, RSMo, with a resident is guilty of a class D felony. Any person who commits a second or subsequent violation of this subdivision is guilty of a class C felony.**

**2. The provisions of this section shall not apply to an owner or employee of a skilled nursing facility or Alzheimer's special unit or program who engages in sexual conduct, as defined in section 566.010, RSMo, with a resident to whom the owner or employee is married.**

**3. Consent of the victim is not a defense to a prosecution pursuant to this section.”; and**

Further amend said bill by inserting the following language in the appropriate location:

**“566.145. 1. A person commits the crime of sexual conduct with an inmate if such person is an employee of, or assigned to work in, any jail, prison or correctional facility and such person has sexual intercourse or deviate sexual intercourse with an inmate or resident of the facility.**

**2. Sexual conduct with an inmate is a class D felony.**

**3. Consent of the victim is not a defense to a prosecution pursuant to this section.”; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 4** was adopted.

Representative Jolly offered **House Amendment No. 5.**

Representative Smith raised a point of order that **House Amendment No. 5** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 5.**

Representative Smith raised a point of order that **House Amendment No. 5** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Crowell offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, by inserting in the appropriate location the following:

“566.010. As used in this chapter and chapter 568, RSMo, the following terms mean:

- (1) "Deviate sexual intercourse", any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the male or female sex organ or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person;
- (2) "Sexual conduct", sexual intercourse, deviate sexual intercourse or sexual contact;
- (3) "Sexual contact", any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, **or such touching through the clothing**, for the purpose of arousing or gratifying sexual desire of any person;
- (4) "Sexual intercourse", any penetration, however slight, of the female sex organ by the male sex organ, whether or not an emission results.”; and

Further amend said bill by inserting in the appropriate location the following section:

“556.090 1. A person commits the crime of sexual misconduct in the first degree if he has deviate sexual intercourse with another person of the same sex or he purposely subjects another person to sexual contact [or engages in conduct which would constitute sexual contact except that the touching occurs through the clothing] without that person's consent.

2. Sexual misconduct in the first degree is a class A misdemeanor unless the actor has previously been convicted of an offense under this chapter or unless in the course thereof the actor displays a deadly weapon in a threatening manner or the offense is committed as a part of a ritual or ceremony, in which case it is a class D felony.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Crowell, **House Amendment No. 5** was adopted.

Representative Bartle offered **House Amendment No. 6**.

**House Amendment No. 6** was withdrawn.

Representative Wright offered **House Amendment No. 6**.

Representative Smith raised a point of order that **House Amendment No. 6** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Smith moved that **HS HCS SS SCS SBs 969, 673 & 855, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 056

Abel	Baker	Bland	Boucher	Bowman
Boykins	Britt	Brooks	Carnahan	Clayton
Copenhaver	Crump	Curls	Davis	Fares
Farnen	Foley	Franklin	Fraser	Graham
Hagan-Harrell	Harding	Harlan	Haywood	Hilgemann
Hollingsworth	Hoppe	Hosmer	Johnson 90	Jolly
Jones	Kelly 27	Lowe	Mays 50	Monaco
Ostmann	Overschmidt	Ransdall	Relford	Rizzo
Scheve	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Wagner	Walker	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 094

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Daus	Dempsey	Dolan
Enz	Froelker	Gambara	George	Gratz
Green 15	Griesheimer	Hampton	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Holt
Hunter	Jetton	Johnson 61	Kelley 47	Kelly 144
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Paone	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Shields	Shoemaker	St. Onge	Surface	Townley
Treadway	Villa	Whorton	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bray 84	Campbell	Gaskill	Green 73	Hanaway
Hickey	Lawson	Long	McKenna	Troupe
Van Zandt	Vogel			

VACANCIES: 001

Representative Johnson (90) requested a verification of the roll call on the motion to adopt **HS HCS SS SCS SBs 969, 673 & 855, as amended.**

**HCS SS SCS SBs 969, 673 & 855** was placed on the Informal Calendar.

**HCS SCS SB 1070**, relating to protection of children, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS SCS SB 1070** was adopted.

On motion of Representative Hosmer, **HCS SCS SB 1070** was read the third time and passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 014

Baker	Boykins	Cierpiot	Foley	Franklin
Gaskill	Green 73	Hickey	Hunter	Kelley 47
Long	Luetkenhaus	McKenna	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SS SCS SB 1009**, relating to insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HCS SS SCS SB 1009** was adopted.

On motion of Representative Luetkenhaus, **HCS SS SCS SB 1009** was read the third time and passed by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Lawson	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 003

Brooks	Johnson 61	Walton
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ABSENT WITH LEAVE: 012

Cierpiot	Crump	Franklin	Gaskill	Green 73
Hickey	Kelley 47	Koller	Long	McKenna
O'Toole	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### **THIRD READING OF SENATE BILLS - CONSENT**

**SCS SB 729**, relating to mortgage insurance, was taken up by Representative Luetkenhaus.



On motion of Representative Luetkenhaus, **SCS SB 729** was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Froelker	Gambaro	George	Graham
Gratz	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Fraser	Green 15	Harding	Williams
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PRESENT: 003

Johnson 61	Lowe	Walton
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ABSENT WITH LEAVE: 015

Baker	Boykins	Crump	Foley	Franklin
Gaskill	Green 73	Hohulin	Kelley 47	Koller
Long	McKenna	Paone	Richardson	Van Zandt

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Britt resumed the Chair.

**SB 812**, relating to executive orders, was taken up by Representative Holand.

On motion of Representative Holand, **SB 812** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Enz	Fares	Farnen
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Crump	Dempsey	Dolan	Foley
Gaskill	Green 73	Hickey	Hohulin	Kelley 47
Koller	Lawson	Long	McKenna	Paone
Van Zandt				

VACANCIES: 001

Representative Britt declared the bill passed.

**SB 865**, relating to boll weevil eradication, was taken up by Representative Myers.

On motion of Representative Myers, **SB 865** was truly agreed to and finally passed by the following vote:

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AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Lawson	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Berkstresser	Crump	Dolan	Franklin
Gaskill	Green 73	Harlan	Hollingsworth	Kelley 47
Koller	Long	McKenna	Robirds	Van Zandt

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS SB 918**, relating to the display of the United States Flag, was taken up by Representative Linton.

On motion of Representative Linton, **SCS SB 918** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Carnahan	Crump	Dolan	Franklin
Gaskill	Green 73	Harlan	Hollingsworth	Johnson 61
Kelley 47	Long	McKenna	Ostmann	Robirds
Van Zandt	Vogel			

VACANCIES: 001

Representative Britt declared the bill passed.

**SB 1109**, relating to driver's licenses, was taken up by Representative Portwood.

On motion of Representative Portwood, **SB 1109** was truly agreed to and finally passed by the following vote:

## 1653 *Journal of the House*

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Hagan-Harrell	O'Toole	Shoemaker	Treadway
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PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Bowman	Crump	Dolan	Franklin
Gaskill	Green 73	Harlan	Kelley 47	Long
McKenna	Nordwald	Robirds	Van Zandt	

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS SB 1207**, relating to continuing medical education, was taken up by Representative Holand.

On motion of Representative Holand, **SCS SB 1207** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambara	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Cierpiot	Crump	Dolan	Franklin
Gaskill	Green 73	Harlan	Kelley 47	Linton
Long	McKenna	Robirds	Van Zandt	

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS SB 1151**, relating to tourism tax, was taken up by Representative Myers.

On motion of Representative Myers, **SCS SB 1151** was truly agreed to and finally passed by the following vote:

## 1655 *Journal of the House*

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Graham	Hohulin	Smith	Williams
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PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Cierpiot	Crump	Gaskill	Green 73
Harlan	Kelley 47	Linton	Lograsso	Long
McKenna	Robirds	Van Zandt		

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS SB 874**, relating to early childhood special education, was taken up by Representative Franklin.

On motion of Representative Franklin, **SCS SB 874** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

St. Onge

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Crump	Gaskill	Green 73	Harlan
Kelley 47	Linton	Long	McKenna	Robirds
Van Zandt				

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS SB 1182**, relating to professional licensing, was taken up by Representative Barry.

On motion of Representative Barry, **SCS SB 1182** was truly agreed to and finally passed by the following vote:



## 1657 *Journal of the House*

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Berkstresser	Crump	Franklin	Gaskill
Green 73	Harlan	Henderson	Hickey	Kelley 47
Linton	Long	McKenna	O'Toole	Robirds
Van Zandt	Williams			

VACANCIES: 001

Representative Britt declared the bill passed.

**SCS SB 1024**, relating to medical records, was taken up by Representative Holand.

On motion of Representative Holand, **SCS SB 1024** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Crump	Franklin	Gaskill	Green 73
Harlan	Hickey	Hohulin	Kelley 47	Linton
Long	McKenna	O'Toole	Ostmann	Robirds
Scheve	Van Zandt			

VACANCIES: 001

Representative Britt declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**SB 976**, relating to the State Board of Health, was taken up by Representative Portwood.

On motion of Representative Portwood, **SB 976** was truly agreed to and finally passed by the following vote:

## 1659 *Journal of the House*

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Carnahan	Dempsey	Franklin	Gaskill	Green 73
Harlan	Kelley 47	Linton	Long	McKenna
O'Toole	Ostmann	Robirds	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SB 644**, relating to a special motorcycle license plate, was taken up by Representative Davis.

On motion of Representative Davis, **SB 644** was truly agreed to and finally passed by the following vote:

AYES: 141

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Reynolds Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Ballard	Cierpiot	Franklin	Gaskill
Green 73	Harlan	Johnson 61	Kelley 47	Linton
Lograsso	Long	McKenna	Naeger	O'Toole
Ostmann	Robirds	Skaggs	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Clayton assumed the Chair.

**SCS SBs 1241, 1253 & 1189**, relating to special license plates, was taken up by Representative Boykins.

On motion of Representative Boykins, **SCS SBs 1241, 1253 & 1189** was truly agreed to and finally passed by the following vote:

## 1661 *Journal of the House*

AYES: 110

Abel	Barnitz	Barry 100	Bartle	Bearden
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Cooper	Crawford	Crowell	Crump
Curls	Daus	Davis	Dolan	Enz
Farnen	Foley	Fraser	Froelker	Gambaro
George	Graz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Lowe	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Monaco	Moore	Naeger
Nordwald	O'Connor	Overschmidt	Paone	Purgason
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Surface	Thompson	Townley
Troupe	Villa	Vogel	Wagner	Walker
Walton	Williams	Willoughby	Wilson 42	Mr. Speaker

NOES: 026

Barnett	Behnen	Black	Boatright	Byrd
Cunningham	Dempsey	Hendrickson	Hohulin	Hunter
Luetkemeyer	Marble	Myers	Phillips	Portwood
Quinn	Rector	Ridgeway	Roark	Scott
Shoemaker	St. Onge	Ward	Whorton	Wilson 25
Wright				

PRESENT: 004

Copenhaver	Fares	Harding	Luetkenhaus
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ABSENT WITH LEAVE: 022

Baker	Ballard	Bartelsmeyer	Cierpiot	Franklin
Gaskill	Graham	Green 73	Harlan	Kelley 47
Lawson	Linton	Lograsso	Long	McKenna
Murphy	O'Toole	Ostmann	Robirds	Shoemyer
Treadway	Van Zandt			

VACANCIES: 001

Representative Clayton declared the bill passed.

Speaker Kreider resumed the Chair.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SCS HCS HB 1109:** Representatives Green (73), Kelly (27), Wilson (42), Bearden and Legan

**SCS HCS HB 1110:** Representatives Green (73), Riback Wilson (25), Campbell, Bearden and Shields

**SCS HCS HB 1111:** Representatives Green (73), Troupe, Campbell, Bearden and Naeger

**SCS HCS HB 1112:** Representatives Green (73), Bonner, Merideth, Bearden and Legan

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**HCS SB 856** - Fiscal Review and Government Reform (Fiscal Note)

**HCS SCS SBs 894, 975 & 927** - Fiscal Review and Government Reform (Fiscal Note)

### **COMMITTEE REPORT**

**Committee on Tourism, Recreation and Cultural Affairs**, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 1233**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1518**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1674**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1781**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1890**, entitled:

An act to repeal sections 32.087 and 144.190, RSMo, and to enact in lieu thereof three new sections relating to the sales tax and refund procedures related to mobile telecommunications services, with an emergency clause.

With Senate Amendment No. 1.

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1890, Page 6, Section 144.190, Line 11, by striking the numeral "144.510" and inserting in lieu thereof the numeral "**144.525**"; and further amend line 28, by striking the following: "92 and" and inserting in lieu thereof the following: "**70, 92,**"; and further amend line 29, by inserting immediately after the numeral "94" the following: "**162, 190, 238, 321, and 644,**"; and

Further amend said bill, Page 7, Section 144.190, Lines 32-33, by striking "as defined by subdivision (5) of subsection 1 of section 144.010,"; and further amend line 38, by striking all of said line and inserting in lieu thereof the following: "**section 144.013**";.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2080**, entitled:

An act to repeal sections 56.363 and 56.807, RSMo, and to enact in lieu thereof two new sections relating to county prosecutors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 758**, and requests that the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 795**, and requests that the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 980**, and requests that the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 695**, and has taken up and passed **HCS SB 695**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 714**, and has taken up and passed **HCS SB 714**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 737**, and has taken up and passed **HCS SCS SB 737**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 749**, and has taken up and passed **HCS SB 749**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 776**, and has taken up and passed **HCS SCS SB 776**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 786**, and has taken up and passed **HCS SB 786**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 932**, and has taken up and passed **HCS SB 932**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 947**, and has taken up and passed **HCS SCS SB 947**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 950**, and has taken up and passed **HCS SB 950**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 957**, and has taken up and passed **HCS SCS SB 957**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 961**, and has taken up and passed **HCS SB 961**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 962**, and has taken up and passed **HCS SB 962**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 992**, and has taken up and passed **HCS SB 992**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS HB 1711, as amended**, and has taken up and passed **CCS HCS HB 1711**.

Emergency clause defeated.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SB 1248, as amended**: Senators Mathewson, Quick, Gross, Klarich and Gibbons.

The following member's presence was noted: Gaskill.

## **ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 9:00 a.m., Tuesday, May 7, 2002.

## **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-third Day, Thursday, May 2, 2002, page 1569, line 39, by inserting immediately after said line the following:



**SUPPLEMENTAL CALENDAR**

May 2, 2002

**HOUSE BILLS FOR THIRD READING**

HB 2097 - Copenhaver

HB 2137 - Crump

Pages 1552 and 1553, roll call, by showing Representatives Jones and Phillips voting "aye" rather than "absent with leave".

Pages 1553 and 1554, roll call, by showing Representatives Boykins, Campbell and Crawford voting "aye" rather than "absent with leave".

Pages 1554 and 1555, roll call, by showing Representatives Boatright and Boykins voting "aye" rather than "absent with leave".

Pages 1555 and 1556, roll call, by showing Representatives Behnen, Boykins, Crowell, Shields and St. Onge voting "aye" rather than "absent with leave".

Pages 1556 and 1557, roll call, by showing Representatives Barry, Boykins and Hunter voting "aye" rather than "absent with leave".

Pages 1557 and 1558, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

Page 1558, roll call, by showing Representative Boykins voting "aye" rather than "absent with leave".

Page 1560, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 1562 and 1563, roll call, by showing Representatives Bartle, Cooper, Miller, Reinhart, Surface and Wagner voting "aye" rather than "absent with leave".

Pages 1562 and 1563, roll call, by showing Representative Crowell voting "present" rather than "absent with leave".

Pages 1565 and 1566, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

Page 1567, roll call, by showing Representative Scott voting "aye" rather than "absent with leave".

Page 1567, roll call, by showing Representative Wright voting "no" rather than "absent with leave".

Pages 1567 and 1568, roll call, by showing Representatives Hunter and Wright voting "no" rather than "absent with leave".

Pages 1568 and 1569, roll call, by showing Representative Boykins voting "aye" rather than "absent with leave".

Pages 1568 and 1569, roll call, by showing Representative Wright voting "no" rather than "absent with leave".

Pages 1569 and 1570, roll call, by showing Representatives Boykins, Kelly (27), Liese, Luetkemeyer, Miller, Purgason, Wagner and Wright voting "aye" rather than "absent with leave".

Pages 1570 and 1571, roll call, by showing Representatives Barnitz, Boykins, Kelly (27), Liese, Luetkemeyer and Wagner voting "aye" rather than "absent with leave".

Page 1572, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Page 1572, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Page 1573, roll call, by showing Representatives Barry, Luetkemeyer, Moore, Surface and Wagner voting "aye" rather than "absent with leave".

Pages 1573 and 1574, roll call, by showing Representatives Luetkemeyer, Reinhart, Surface, Wagner and Willoughby voting "aye" rather than "absent with leave".

Pages 1576 and 1577, roll call, by showing Representatives Crowell and Surface voting "aye" rather than "absent with leave".

Pages 1578 and 1579, roll call, by showing Representatives Crowell and Surface voting "no" rather than "absent with leave".

Pages 1579 and 1580, roll call, by showing Representatives Bartle, Black, Champion, Crowell, King, Myers and Surface voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **CHILDREN, FAMILIES, AND HEALTH**

Tuesday, May 7, 2002. Side gallery upon evening adjournment.

Executive Session.

Public Hearing to be held on: HB 1444, SB 687

CONFERENCE COMMITTEE - APPROPRIATIONS

Tuesday, May 7, 2002, 8:00 a.m. Hearing Room 3.

House Bills 1101 - 1112.

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, May 8, 2002, 8:30 a.m. Hearing Room 5.

Executive Session may follow.

Public Hearing to be held on: SB 1059

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 9, 2002, 8:00 a.m. AMENDED - Date change.

Senator Rohrbach's Office - Room 221.

JUDICIARY

Tuesday, May 7, 2002, 1:00 p.m. Hearing Room 5. AMENDED NOTICE.

Public Hearing to be held on: SB 662

Executive Session to be held on: SB 931

LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Tuesday, May 7, 2002. Hearing Room 1 upon afternoon adjournment.

Challenge fiscal note.

Public Hearing to be held on: HB 1594, HB 2160, SB 1279

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, May 7, 2002. Hearing Room 7 upon morning recess.

Executive Session to follow.

Public Hearing to be held on: SB 1060, SB 1107, SB 1266

MISCELLANEOUS BILLS AND RESOLUTIONS

Tuesday, May 7, 2002, 8:30 a.m. Hearing Room 6. AMENDED NOTICE.

Executive Session may follow.

Public Hearing to be held on: SB 892

**HOUSE CALENDAR**

SIXTY-SIXTH DAY, TUESDAY, MAY 7, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1231 - Harding
- 2 HCS HB 1318 - George
- 3 HCS HB 1914 - Mays (50)
- 4 HCS HB 1680 - Hampton
- 5 HB 1708 - Daus
- 6 HB 1427 - Hosmer

- 7 HCS HB 1863 - Whorton
- 8 HCS HB 1923 - Barry
- 9 HB 1813 - Monaco
- 10 HB 1530 - Hoppe
- 11 HB 1721 - Shelton
- 12 HB 1211 - Smith
- 13 HB 1191 - Davis
- 14 HB 1198 - Graham
- 15 HB 1794, HCA 1 - Legan
- 16 HCS HB 1570 - Koller
- 17 HCS HB 1780 - Green (73)
- 18 HCS HB 1445 - Smith
- 19 HB 1663 - Seigfreid
- 20 HB 1596 - Harding
- 21 HB 1084 - Fraser
- 22 HCS HB 1321 & 1491 - Williams
- 23 HCS HB 1723 - Boucher
- 24 HB 1485 - Johnson (90)
- 25 HB 1439, HCA 1 - Myers
- 26 HB 1970 - Townley
- 27 HB 1052 - Ward
- 28 HCS HB 1725 - Walton
- 29 HB 1609 - Robirds
- 30 HCS HB 1828 - Cunningham
- 31 HCS HB 1407 - Riback Wilson (25)
- 32 HCS HB 1889 & 1946 - Foley
- 33 HCS HB 2065 - Ransdall
- 34 HCS HB 1077, 1187 & 1579 - Jolly
- 35 HCS HB 1599 - Lawson
- 36 HB 1233 - Harding

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker
- 3 HB 2160, as amended - Britt
- 4 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 5 HB 1916 - Franklin

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

- HJR 32 - Barry

### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HB 1594, (Fiscal Review 4-29-02) - Gratz
- 3 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo

### **SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 46, (3-12-02, Pages 570-571) (Dougherty) - Johnson (61)
- 2 SCR 37, (2-13-02, Pages 276-277) (Dougherty) - Johnson (61)
- 3 SCR 36, (3-12-02, Pages 567-568) (Bentley) - Davis
- 4 SCS SCR 47, (3-12-02, Pages 571-572) (Childers) - Gaskill
- 5 SCR 54, (4-3-02, Page 829) (Sims) - Fares

### **SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 726, (Childers) - Gaskill
- 3 SCS SB 966, (Kennedy) - Gambaro
- 4 SB 798, (Westfall) - Ross
- 5 SCS SB 745, (Russell) - Kelly (144)
- 6 SB 831, (Loudon) - Gambaro
- 7 SCS SB 656, (Rohrbach) - Luetkenhaus

### **SENATE BILLS FOR THIRD READING**

- 1 HCS SS SS SCS SB 970, 968, 921, 867, 868 & 738, (Westfall) - Koller
- 2 HCS SS SCS SB 675, E.C. (Fiscal Review 5-1-02)(Yeckel) - Seigfreid
- 3 HCS SCS SB 810, (Fiscal Review 5-1-02)(Dougherty) - Ladd Baker
- 4 HCS SCS SB 712, E.C. (Singleton) (Fiscal Review 5-2-02) - O'Toole
- 5 SCS SB 915, 710 & 907, (Westfall) - Koller
- 6 HCS SCS SB 894, 975 & 927, E.C. (Kinder) (Fiscal Review 5-6-02) - O'Toole
- 7 HCS SB 856, (Russell) (Fiscal Review 5-6-02) - Rizzo

### **SENATE BILL FOR THIRD READING - INFORMAL**

HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith

### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1635 - Hoppe
- 2 SCS HB 2009 - O'Connor
- 3 SCS HB 1636 - Hoppe
- 4 SCS HB 1890, as amended, E.C. - Hilgemann
- 5 SCS HB 2080 - Britt

**BILLS CARRYING REQUEST MESSAGES**

- 1 HCS SCS SB 1086 & 1126, (request House recede/grant conference) - Hoppe
- 2 HCS SB 758, (request House recede/grant conference) - Hosmer
- 3 HCS SB 795, (request House recede/grant conference) -Treadway
- 4 SCS HB 1313, (request Senate recede/grant conference) - Burton
- 5 HCS SCS SB 980, (request House recede/grant conference) - Hunter

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall
- 8 SCS HCS HB 1108 - Kelly (27)
- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)
- 11 SCS HCS HB 1111, as amended - Troupe
- 12 SCS HCS HB 1112 - Bonner
- 13 SCS HB 2120 - Ridgeway
- 14 HS HCS SS SB 1248, as amended - Foley

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-SIXTH DAY, TUESDAY, MAY 7, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Almighty Goodness, those who know You testify that “The earth is full of the goodness of the Lord.” Assist this House to make that plain. May these women and men uncover and discover integrity and decency in statement and action today.

Unearth astuteness and wisdom in the labors of caucuses, committees, and considerations. Discern agreement even in the wrangling, dispute, and posturing innate to our democratic process. May the final thorny days of this session attest that You are at work in the heart of our world, in the core of our United States, and today, most especially, in the nucleus of this Chamber. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ella Jean Skaggs, A. J. Hagedorn, Nora Borgmeyer, Alyssa Combs, Kevin Hunolt, Brad Bozoarth, Lydia Diedrich, Becca Herman, Michael Knox, Michael Hughes, Anna Killion, Irvin Drake and Chelsea Fayne.

The Journal of the sixty-fifth day was approved as corrected.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 132

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crump	Cunningham	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jones	Kelley 47	Kelly 144	Kelly 27

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Kelly 36	King	Koller	Legan	Liese
Linton	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Reinhart	Relford	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 002

Crowell Reynolds

ABSENT WITH LEAVE: 028

Baker	Brooks	Burcham	Byrd	Carnahan
Crawford	Curls	Hagan-Harrell	Harlan	Henderson
Holand	Jolly	Lawson	Lograsso	Long
Luetkenhaus	Naeger	O'Connor	Rector	Reid
Ridgeway	Roark	Secrest	Surface	Thompson
Van Zandt	Williams	Wright		

VACANCIES: 001

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1780 - Representative Shields  
House Resolution No. 1781 - Representative Moore  
House Resolution No. 1782 - Representative Relford  
House Resolution No. 1783 - Representative Phillips  
House Resolution No. 1784 - Representative McKenna  
House Resolution No. 1785 - Representative Behnen  
House Resolution No. 1786 - Representative Rizzo  
House Resolution No. 1787 - Representative Hunter  
House Resolution No. 1788  
through  
House Resolution No. 1793 - Representative Crawford

Representative Farnen assumed the Chair.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1635**, relating to water corporations, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SCS HB 1635** was adopted by the following vote:



AYES: 142

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Ballard	Brooks	Burton	Byrd
Crump	Green 73	Harlan	Hickey	Hohulin
Lawson	Luetkenhaus	Naeger	O'Connor	Richardson
Ridgeway	Secrest	Van Zandt	Williams	Wright

VACANCIES: 001

On motion of Representative Hoppe, **SCS HB 1635** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus

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Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Nordwald	O'Toole
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Brooks	Green 73	Harlan
Henderson	Hunter	Lawson	Luetkenhaus	Naeger
O'Connor	Ostmann	Richardson	Ridgeway	Secrest
Van Zandt	Williams	Willoughby		

VACANCIES: 001

Representative Farnen declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**SCS HB 1636**, relating to election authority verification boards, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SCS HB 1636** was adopted by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Cunningham	Curls	Daus
Davis	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill

George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Brooks	Crowell	Crump	Dempsey	Franklin
Green 73	Harlan	Hosmer	Lawson	Luetkenhaus
O'Connor	Paone	Reid	Richardson	Scheve
Secrest	Shields	Van Zandt	Williams	Wright

VACANCIES: 001

On motion of Representative Hoppe, **SCS HB 1636** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Hegeman	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore

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Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brooks	Crowell	Foley	Franklin	Harlan
Haywood	Henderson	Hunter	Lawson	Luetkenhaus
O'Connor	Richardson	Scheve	Secrest	Van Zandt
Williams				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 1890, as amended**, relating to sales/use tax, was taken up by Representative Hilgemann.

On motion of Representative Hilgemann, **SCS HB 1890, as amended**, was adopted by the following vote:

AYES: 146

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Campbell	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood

Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Brooks	Byrd	Carnahan
Crowell	Franklin	Harlan	Lawson	Luetkenhaus
O'Connor	Richardson	Scheve	Secrest	Van Zandt
Williams				

VACANCIES: 001

On motion of Representative Hilgemann, **SCS HB 1890, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

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NOES: 001

Roark

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Bray 84	Brooks	Byrd
Clayton	Crowell	Foley	Franklin	Harlan
Lawson	Luetkenhaus	O'Connor	Richardson	Scheve
Secrest	Van Zandt	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Hohulin	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Ballard	Bland	Brooks	Clayton
Crowell	Hagan-Harrell	Lawson	Long	Luetkenhaus
O'Connor	O'Toole	Richardson	Scheve	Secrest
Van Zandt	Williams			

VACANCIES: 001

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**SCS HB 2120:** Representatives Hosmer, Britt, Kelly (36), Ridgeway and Naeger

## MOTION

Representative Green (73) moved that Rule 26 be suspended in order to grant leave to the members of the House Conference Committees on **SCS HCS HB 1101 through SCS HCS HB 1112** allowing them to meet while the House is in session.

Which motion was adopted by the following vote:

AYES: 134

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Murphy
Myers	Naeger	Nordwald	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Rizzo
Robirds	Ross	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Lograsso	Moore	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 024

Baker	Ballard	Bland	Brooks	Clayton
Crowell	Daus	Franklin	Gambaro	Henderson
Hohulin	Lawson	Long	Luetkenhaus	O'Connor
O'Toole	Ostmann	Richardson	Ridgeway	Scheve
Secrest	Van Zandt	Wagner	Williams	

VACANCIES: 001

### **BILLS CARRYING REQUEST MESSAGES**

**HCS SB 758**, relating to sex offender registration, was taken up by Representative Hosmer.

Representative Hosmer moved that the House refuse to recede from its position on **HCS SB 758** and grant the Senate a conference.

Which motion was adopted.

**HCS SB 795**, relating to boiler and pressure vessels safety fund, was taken up by Representative Treadway.

Representative Treadway moved that the House refuse to recede from its position on **HCS SB 795** and grant the Senate a conference.

Which motion was adopted.

**HCS SCS SB 980**, relating to physical therapy, was taken up by Representative Hunter.

Representative Hunter moved that the House refuse to recede from its position on **HCS SCS SB 980** and grant the Senate a conference.

Which motion was adopted.

**HCS SCS SBs 1086 & 1126**, relating to nuisance abatement, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on **HCS SCS SBs 1086 & 1126** and grant the Senate a conference.

Which motion was adopted.



**THIRD READING OF SENATE BILL**

**HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738**, relating to transportation, was taken up by Representative Koller.

Representative Koller offered **HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738**.

Speaker Kreider assumed the Chair.

Representative Koller offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 47, Section 227.100, Lines 5 to 10 of said page, by deleting all of said lines and inserting in lieu thereof the following: "construction of said project."; and

Further amend said bill, Page 54, Section 227.040, by deleting all of said section; and

Further amend said bill, Pages 54-55, Section 227.050, by deleting all of said section; and

Further amend said bill, Page 55, Section 227.060, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Henderson offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Smith raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative Koller, **House Amendment No. 1** was adopted.

Representative Smith offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 75, Section 307.205, Line 9, by deleting the word "regulate" and inserting in lieu thereof the following: "**impose additional regulations on**".

On motion of Representative Smith, **House Amendment No. 2** was adopted.

Representative Scott offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting the following section in the appropriate location:

"302.341. **1.** If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which he **or she** is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against him **or her** for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall reinstate the license. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section. If any city, town, or village receives more than [forty-five] **thirty-five** percent of its [total] annual **general operating** revenue from fines **and court costs** for traffic violations occurring on state highways, all revenues from such violations in excess of [forty-five] **thirty-five** percent of the [total] annual **general operating** revenue of the city, town, or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number.

**2. If any city, town, or village fails to send such excess revenues to the director of the department of revenue in a timely fashion which shall be set forth by the director by rule, such city, town, or village shall submit to an annual audit by the state auditor pursuant to the authority of Article IV, Section 13 of the Missouri Constitution. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and**

Further amend the title and enacting clause accordingly.

On motion of Representative Scott, **House Amendment No. 3** was adopted.

Representative Green (73) offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 58, Section 234.032, Line 19 of said page, by inserting after all of said line the following:

**"238.500. Sections 238.500 to 238.552 shall be known as the "Missouri Regional Transportation Development District Act".**

**238.502. 1. As used in sections 238.500 to 238.552, the following terms mean:**

(1) "Board", the board of directors of a district;  
(2) "Commission", the Missouri state highways and transportation commission;  
(3) "District", a regional transportation development district organized pursuant to sections 238.500 to 238.552;

(4) "Local transportation authority", a county, city, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake, or river port, airport, railroad, light rail, or other transit improvement or service;

(5) "Project" includes construction, renovation, preservation, operation, or maintenance of any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bike, or pedestrian improvement, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake, or river port, airport, railroad, light rail, or other mass transit and any similar or related improvement or infrastructure.

2. For the purposes of article X, sections 11(c), 16, and 22 of the Constitution of Missouri, section 137.073, RSMo, and as used in sections 238.500 to 238.552, the following terms shall have the meanings given:

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;  
(2) "Registered voters", persons qualified and registered to vote pursuant to chapter 115, RSMo.

238.504. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain, and operate one or more projects or to assist in such activity.

2. A district is a political subdivision of the state.

238.506. 1. Whenever the creation of a district is desired, not less than fifty registered voters from a county or city not within a county may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of any county or city not within a county within the proposed district.

2. Alternatively, the governing body of any county or city not within a county may pass a petition allowing voters to decide upon creation of a district. The petition shall be filed in the circuit court of any county or city not within a county within the proposed district.

3. The proposed district area shall be contiguous and may contain one or more counties and a city not within a county. Property separated only by public streets shall be considered contiguous.

4. The petition shall set forth:

(1) The name, voting residence, and county of residence of each individual petitioner, or shall recite that the petitioner is the governing body of that city or county acting in its official capacity;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the transportation projects proposed to be undertaken by that district;

(4) The name of the proposed district;

(5) The number of members of the board of directors of the proposed district, which shall be three from each county or city not within a county within the proposed district;

(6) A statement that the terms of office of initial board members shall be staggered to expire in two, four, and six years;

(7) If the petition was filed by registered voters or by a governing body, a request that the question be submitted to the qualified voters residing within the limits of the proposed district whether they will establish a regional transportation development district for funding transportation projects;

(8) A proposal for funding the district initially, pursuant to the authority granted in sections 238.500 to 238.552, together with a request that the funding proposal be submitted to the qualified voters residing within the limits of the proposed district.

238.508. 1. If the petition was filed by registered voters or by a governing body, the circuit clerk in whose office the petition was filed shall give notice to the public by causing one or more newspapers of general circulation serving the counties or portions thereof contained in the proposed district to publish once a week for four consecutive weeks a notice substantially in the following form:

#### **NOTICE OF PETITION TO SUBMIT TO A POPULAR VOTE THE CREATION AND FUNDING OF A REGIONAL TRANSPORTATION DEVELOPMENT DISTRICT**

Notice is hereby given to all persons residing in (here specifically describe the proposed district boundaries),

within the state of Missouri, that a petition has been filed asking that upon voter approval, a regional transportation development district by the name of "..... Regional Transportation Development District" be formed for the purpose of funding the transportation projects. A copy of this petition is on file and available at the office of the clerk of the circuit court of .... County, located at ....., Missouri. You are notified to join in or file your own petition supporting or answer opposing the creation of the regional transportation development district and requesting a declaratory judgment, as required by law, no later than the ..... day of ....., 20... You may show cause, if any there be, why such petition is defective or proposed regional transportation development district or its funding method, as set forth in the petition, is illegal or unconstitutional and should not be submitted for voter approval at a general, primary, or special election as directed by this court.

..... Clerk of the Circuit Court of ..... County.

2. The circuit clerk shall also submit the same notice to the commission.

3. The circuit court may also order a public hearing on the question of the creation of the proposed district, if it deems such appropriate, under such terms and conditions as it deems appropriate. If a public hearing is ordered, notice of the time, date, and place of the hearing shall also be given in the notice specified in this section

238.510. 1. If the circuit court certifies the petition for voter approval, it shall call an election pursuant to section 238.512.

2. At such election for voter approval of the qualified voters, the questions shall be submitted in substantially the following form:

Shall there be organized in (here specifically describe the proposed district boundaries), within the state of Missouri, a regional transportation development district, to be known as the "..... Regional Transportation Development District" for the purpose of funding transportation projects and to have the power to fund the proposed projects upon voter approval by any or all of the following methods: sales tax, tolls, and bonds?

3. The results of the election shall be entered upon the records of the circuit court of the county or city not within a county in which the petition was filed. Also, a certified copy thereof shall be filed with the clerk of each county or city not within a county of the proposed district, who shall cause the same to be spread upon the records of the county commission or the city not within a county. If the results show that a majority of the votes cast by the qualified voters were in favor of organizing the regional transportation development district, the circuit court having jurisdiction of the matter shall declare the district organized. If the results show that less than a majority of the votes cast by the qualified voters were in favor of the organization of the district, the circuit court shall declare that the question has failed to pass, and the same question shall not be again submitted for voter approval for two years.

238.512. 1. Except as otherwise provided in section 238.516 with respect to the election of directors, in order to call any election required or allowed in sections 238.500 to 238.552, the circuit court shall order the clerk to cause the questions to appear on the ballot on the next regularly scheduled municipal, or state general, primary, or special election day, which date shall be the same in each county or city not within a county included within and voting upon the proposed district.

2. The results of the election shall be entered upon the records of the circuit court of the county in which the petition was filed. Also, a certified copy thereof shall be filed with the clerk of each county and city not within a county of the proposed district, who shall cause the same to be spread upon the records of the county commission and the city not within a county.

238.514. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized pursuant to sections 238.500 to 238.552, the petitioners may be reimbursed for such costs out of the revenues received by the district.

238.516. 1. At the time of the organizing election, three directors from each county or city not within a county shall be elected.

2. Candidates shall pay the sum of fifty dollars as a filing fee to the clerk of the county or city not within a county and shall file with the election authority of such county or city not within a county a statement under oath that the candidate possesses all of the qualifications set out in this section for a director. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

3. The director or directors to be elected shall be elected at large within the county or city not within a

county. The candidate receiving the most votes from qualified voters shall be elected to the position having the six-year term, the second highest total votes elected to the position having the four-year term, and the third highest total votes elected to the position having a two-year term. Each initial director shall serve the term to which the director was elected, and until a successor is duly elected and qualified. Each successor director shall serve a six-year term. The directors shall nominate and elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Each director shall be a resident of the district. Directors shall be registered voters at least twenty-one years of age.

238.518. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. The board shall meet within thirty days after the election of the initial directors. The time and place of the first meeting of the board shall be designated by the court that heard the petition upon the court's own initiative or upon the petition of any interested person. At its first meeting and after each election of new board members the board shall elect a chair from its members.

3. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and may be reimbursed for actual and necessary expenditures in the performance of duties on behalf of the district.

238.520. 1. Before construction of any project to be merged into the state highways and transportation system, the district shall submit the proposed project, together with the proposed plans and specifications, to the commission for its prior approval of the project. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may approve the project subject to the district making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. Before construction of any project that is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall submit the proposed project, together with proposed plans and specifications, to the local transportation authority for its prior approval. The local transportation authority may approve the project subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

238.522. 1. A district may use sales taxes, tolls, or bonds specifically authorized by sections 238.500 to 238.552 to fund a project.

2. At any time during the existence of the district the board may submit or resubmit a proposed funding method authorized by sections 238.500 to 238.552 for transportation projects to the qualified voters for approval.

3. The district may by contract with the commission agree to send to the commission any revenue received by the district from any funding method authorized by sections 238.500 to 238.552. Such revenue and interest therefrom shall be deposited by the commission pursuant to section 227.180, RSMo, and applied by the commission to project costs, including debt service, on revenue bonds, or refunding bonds issued by the commission.

4. Revenue raised by the regional transportation development district shall provide additional funding for transportation projects and purposes. The commission shall not reduce funding from any source provided to the area covered by the regional transportation development district below the amount received in the fiscal year of the district's organization except when state or federal taxes or fees are reduced, in which case the reduction must not exceed the proportion of the tax or fee reduction. The commission shall increase funding

in each fiscal year to the area covered by the regional transportation development district by at least the percent growth in all funding sources. Any and all federal funds designated by federal law, regulation, or appropriation to the area covered by the regional transportation development district must be passed through to the district in full.

5. The district may by contract with a local transportation authority agree to send the local transportation authority any revenue received by the district. The local transportation authority shall deposit such revenue in a special local trust account. Such revenue and interest therefrom shall be applied by the local transportation authority to project costs.

238.524. 1. Any transportation development district which consists of one or more counties or city not within a county, may by resolution impose a regional transportation development district sales tax on all retail sales made in such regional transportation development district which are subject to taxation pursuant to sections 144.010 to 144.525, RSMo, for any transportation development purpose designated by the regional transportation development district in its ballot of submission to its qualified voters. No resolution enacted pursuant to the authority granted by this section shall be effective unless the board of directors of the regional transportation development district submits to the qualified voters of the regional transportation development district, at a municipal or state general, primary, or special election, a proposal to authorize the board of directors of the transportation development district to impose a sales tax or tolls pursuant to this section.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional transportation development district of ..... (regional transportation development district's name) impose a regional transportation development district-wide sales tax at the rate of (insert amount) for a period of .....(insert number) years from the date on which such tax is first imposed for the purpose funding transportation projects?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the regional transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the regional transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. Within ten days after the adoption of any resolution in favor of the adoption of a regional transportation development district sales tax by the qualified voters of such regional transportation development district, the regional transportation development district shall forward to the director of revenue, by United States registered mail or certified mail, a certified copy of the resolution of its board of directors. The resolution shall reflect the effective date thereof. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of such tax.

4. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together, and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

5. All revenue received by a regional transportation development district from the tax authorized by this section which has been designated for certain transportation purpose, less one percent to pay for the costs of collection deposited by the department of revenue in the state's general revenue fund, shall be deposited by the district in a special local trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to this section or if the tax authorized by this section is repealed pursuant to this section, all funds remaining in the special local trust fund shall continue to be used solely for such designated transportation purposes. Any funds in such special local trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable

laws relating to the investment of other regional transportation development district funds.

6. The sales tax may be imposed at a rate of up to one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the regional transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to sections 144.010 to 144.525, RSMo, except such regional transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats, or outboard motors nor to public utilities. Any regional transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, RSMo, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525, RSMo, and the tax imposed by the resolutions as authorized by this section, plus any amounts imposed pursuant to other provisions of law.

8. (1) All applicable provisions contained in sections 144.010 to 144.525, RSMo, governing the state sales tax, sections 32.085 and 32.087, RSMo, governing local sales taxes, and section 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax imposed in this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to sections 144.010 to 144.525, RSMo, are hereby made applicable to the imposition and collection of the tax imposed in this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525, RSMo, for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the regional transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to this section.

(5) The penalties provided in section 32.057, RSMo, and sections 144.010 to 144.525, RSMo, for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

9. If any regional transportation development district repeals the tax authorized by this section, the regional transportation development district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by this section in such regional transportation development district, the director of revenue shall remit the balance in the account to the regional transportation development district and close the account of that transportation development district. The director of revenue shall notify each regional transportation development district of each instance of any amount refunded or any check redeemed from receipts due the regional transportation development district.

10. (1) No regional transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay

any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued or which have been issued by the commission to finance any project or projects.

(2) Whenever the board of directors of any regional transportation development district in which a regional transportation development sales tax has been imposed pursuant to this section receives a petition, signed by ten percent of the qualified voters of such regional transportation development district calling for an election to repeal such sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued or which have been issued by the commission to finance any project or projects, submit to the voters of such regional transportation development district a proposal to repeal the sales tax imposed pursuant to this section at the next municipal, state general, primary, or special election. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the sales tax, then the resolution imposing the sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the sales tax, then the ordinance or resolution imposing the sales tax, along with any amendments thereto, shall remain in effect.

238.526. 1. If approved by a majority of the qualified voters voting on the question in the district, the district may charge and collect tolls or fees for the use of a transportation project. The board may charge a lower toll rate or fee than that amount approved by the district voters, and may increase that lower toll rate or fee to a level not exceeding the toll or fee rate ceiling without voter approval. Toll rates or fees for the use of the same project may vary at the election of the board, depending upon the type or nature of the user, or the type or nature of the use.

2. The ballot of submission shall be substantially in the following form:

Shall the Regional Transportation Development District be authorized to charge tolls or fees in amounts not to exceed those given below:

**Maximum Toll or Fee Toll or Fee Description**

(Insert amount) (Insert a brief description of the toll or fee, distinguishing it from other tolls or fees to be charged on the same project)

(Insert amount) (Describe the next toll or fee charged)

(Etc.) (Etc.) for the purpose of providing revenue to fund a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. To construct a toll facility, a district may relocate an existing state highway or bridge, subject to approval by the commission, or an existing local public bridge, street, or road, subject to approval by the local transportation authority having control and jurisdiction over such street or road. A district shall not incorporate an existing free public bridge, street, road, or highway into a district project that will be subject to tolls.

238.528. A district may:

(1) Contract and incur liabilities appropriate to accomplish its purposes;

(2) Lease or lease-purchase any real or personal property necessary or convenient for its purposes;

(3) Borrow money for its purposes at such rates of interest as the district may determine; and

(4) Issue bonds, notes, and other obligations, and may secure any of such obligations by mortgage, pledge, assignment, or deed of trust of any or all of the property and income of the district, subject to the restrictions provided in sections 238.500 to 238.552. The district shall not mortgage, pledge, or give a deed of trust on any real property or interests which it obtained by eminent domain. The district shall not mortgage, pledge, or give a deed of trust on any real property or interests which it acquired from the state of Missouri or any agency or political subdivision thereof without the written consent of the state, agency, or political subdivision from which it obtained the property.



**238.530. 1.** A district may at any time authorize or issue revenue bonds for the purpose of paying all or any part of the cost of any project. Every issue of such bonds shall be payable out of the revenues of the district and may be further secured by other property of the district which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of twenty-five years, as the resolution shall specify. Such bonds shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide notwithstanding section 108.170, RSMo. The bonds may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

**2.** Any issue of district bonds outstanding may be refunded at any time by the district by issuing its refunding bonds in such amount as the district may deem necessary. Such bonds may not exceed the amount sufficient to refund the principal of the bonds so to be refunded together with any unpaid interest thereon and any premiums, commissions, service fees, and other expenses necessary to be paid in connection with the refunding. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the bonds being refunded or by the exchange of the refunding bonds for the bonds being refunded with the consent of the holder or holders of the bonds being refunded. Refunding bonds may be issued regardless of whether the bonds being refunded were issued in connection with the same project or a separate project and regardless of whether the bonds proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

**3.** If the proposed project is intended to be merged into the state highways and transportation system for future maintenance under the commission's jurisdiction, the district may contract with the commission to assist it in issuing district revenue bonds and refunding bonds. The district may also contract with the commission to issue commission revenue bonds and refunding bonds and to loan the proceeds thereof to the district. Such bonds shall be authorized by commission minute and shall be issued subject to conditions applicable to bonds issued by the district but as determined by the commission rather than the district.

**4.** Bonds issued pursuant to this section shall exclusively be the responsibility of the district payable solely out of district funds and property provided in sections 238.500 to 238.552 and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Neither the district nor the commission shall be obligated to pay such bonds with any funds other than those specifically pledged to repayment of the bonds. Any bonds issued by a district or the commission shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

**5.** Bonds issued pursuant to this section, the interest thereon, or any proceeds from such bonds shall be exempt from taxation in the state of Missouri for all purposes except the state estate tax.

**238.532.** The district may:

- (1) Purchase land or receive contributions of land and cash for project right-of-way;
- (2) Limit and control access from adjacent property to a district project; and
- (3) Sell and convey excess right-of-way for fair market value to any person or entity.

**238.534. 1.** The district may condemn lands for a project in the name of the state of Missouri as to the necessity for the taking of the description of the parcel and the interest taken in that parcel.

**2.** If condemnation becomes necessary the district shall act pursuant to chapter 523, RSMo, and may condemn a fee simple or other interest in land.

**3.** The district may, after prior notice to the owner to enter upon private property, survey and determine the most advantageous route and design. The district shall be liable for all damages done to the property by such inspection.

**4.** Any person who involuntarily transfers any interest in land to a district which becomes insolvent and comes under the jurisdiction of a court may reacquire that property by paying to the district the total amount of the condemnation award for that parcel, plus statutory interest at the statutory rate from the date of taking on the amount of that award, if the project will not be completed strict, the commission, or a local transportation authority.

**5.** Whenever a district undertakes any project which results in the acquisition of real property or in any

person or persons being displaced from their homes, businesses, or farms, the district shall provide relocation assistance and make relocation payments to such displaced person and do such other acts and follow such procedures as would be necessary to comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

238.536. The district may contract with:

(1) A federal agency, a state or its agencies and political subdivisions, the commission, a local transportation authority, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity; and

(2) The commission to transfer the project to the commission free of cost or encumbrance on such terms set forth by contract. The commission is authorized to adopt reasonable administrative rules relating to regional transportation development districts under chapter 536, RSMo;

(3) The local transportation authority to transfer the project to the local transportation authority free of cost or encumbrance on such terms set forth by contract.

238.538. In addition to all other powers granted by sections 238.500 to 238.552, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors. All contracts in excess of ten thousand dollars between the district and any private person, firm, or corporation shall be competitively bid and shall be awarded to the lowest and best bidder;

(3) To purchase any personal property necessary or convenient for its activities. All outright purchases of personal property in excess of ten thousand dollars between the district and any private person, firm, or corporation shall be competitively bid and shall be awarded to the lowest and best bidder;

(4) To collect and disburse funds for its activities; and

(5) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

238.540. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers, and its employees from any potential liability, and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project to obtain liability insurance having the district, its directors, and its employees as additional named insureds.

3. The district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.

238.542. The district may contract with the commission and local transportation authorities to obtain assistance in project funding, promotion, planning, design, right-of-way acquisition, relocation assistance services, construction, preservation, maintenance, and operation. The commission or any local transportation authority may charge the district a reasonable fee, not exceeding the actual cost of providing the service. The commission is authorized to adopt reasonable administrative rules relating to regional transportation development districts pursuant to chapter 536, RSMo. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

238.544. The state of Missouri, upon approval by an appropriate act of the general assembly, the commission, or a local transportation authority holding title to real estate, may give, grant, and convey to or for the use of a district such right-of-way or other easement in such real estate as may be necessary for the development of a project.

238.546. 1. For the purpose of law enforcement, all district projects to be transferred to the commission shall be treated as commission highways under chapter 43, RSMo, and all projects to be transferred to a local transportation authority shall be treated as streets or roads of that entity.

2. All laws of this state relating to maintaining, signing, damaging, and obstructing roads shall apply to district projects. The duties and powers imposed by such laws on certain officials shall devolve upon the district's engineer or other employee designated by the board. Nothing in this subsection shall be deemed to

interfere with, restrict, or limit the authority of the commission to govern and control highway marking, signalization, and signing to the extent the commission is authorized by law.

3. For outdoor advertising and junkyard control purposes, a district project may be designated by the commission as a part of the state primary highway system and by a local transportation authority as a part of its street or road system.

238.548. Unless otherwise approved by contract of the district, project improvements shall not be under the control and jurisdiction of a local transportation authority while the district retains control and jurisdiction over the project. The provisions of chapter 228, RSMo, are inapplicable to transportation development districts.

238.550. The state auditor shall audit each district not less than once every three years, and may audit more frequently if the state auditor deems appropriate. The state auditor shall also audit each district before it is abolished. The costs of these audits shall be paid by the district.

238.552. 1. At such time as a district has completed its projects and has transferred ownership of the projects to the commission or other local transportation authority for maintenance, or at such time as the board determines that it is unable to complete its projects due to lack of funding or for any other reason, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the ..... Regional Transportation Development District be abolished?

2. The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court. Before submitting the question to abolish the district to a vote, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law.

3. While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

4. Upon receipt of certification by the appropriate election authorities that the majority of those voting within the district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board shall:

(1) Sell any remaining district real or personal property, and then transfer the proceeds and any other real or personal property owned by the district, including revenues due and owing the district, to the commission or any appropriate local transportation authority assuming maintenance and control of the project, for its further use and disposition;

(2) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(3) At a public meeting of the district, declare by a majority vote that the district has been abolished effective that date; and

(4) Cause copies of that resolution under seal to be filed with the secretary of state, the director of revenue, the commission, and with each local transportation authority affected by the district. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease."; and

Further amend said bill, Page 78, Section C, Line 8 of said page, by inserting after all of said line the following:

"Section D. Sections 238.500, 238.502, 238.504, 238.506, 238.508, 238.510, 238.512, 238.514, 238.516, 238.518, 238.520, 238.522, 238.524, 238.526, 238.528, 238.530, 238.532, 238.534, 238.536, 238.538, 238.540, 238.542, 238.544, 238.546, 238.548, 238.550, and 238.552 of section A of this act shall become effective January 1, 2003."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shoemyer (9) assumed the Chair.

Speaker Kreider resumed the Chair.

Representative Green (73) moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

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AYES: 069

Abel	Baker	Barry 100	Bartle	Bearden
Bland	Bonner	Boucher	Bowman	Boykins
Byrd	Campbell	Carnahan	Cierpiot	Cunningham
Curls	Daus	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hanaway	Harding	Haywood	Hendrickson
Hickey	Hilgemann	Hollingsworth	Holt	Hosmer
Johnson 61	Johnson 90	Jolly	Kelley 47	Liese
Linton	Lograsso	Lowe	Luetkenhaus	McKenna
Murphy	Myers	Ostmann	Overschmidt	Paone
Portwood	Reynolds	Ridgeway	Scheve	Selby
Shelton	St. Onge	Thompson	Treadway	Troupe
Villa	Wagner	Walton	Wilson 42	

NOES: 072

Barnett	Barnitz	Bartelsmeyer	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bray 84	Burcham
Burton	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Davis	Franklin
Graham	Gratz	Hampton	Hegeman	Henderson
Hoppe	Hunter	Jetton	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Moore	Phillips
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Seigfreid
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Townley	Vogel	Whorton	Willoughby
Wilson 25	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 021

Ballard	Britt	Brooks	Gaskill	Harlan
Hartzler	Hohulin	Holand	Jones	Lawson
Monaco	Naeger	Nordwald	O'Connor	O'Toole
Secrest	Van Zandt	Walker	Ward	Williams
Wright				

VACANCIES: 001

Representative Relford offered **House Amendment No. 5.**

### *House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 65, Section 304.001, Lines 11 to 15, by deleting all of said lines and inserting in lieu thereof the following:

"sections 304.155 and 304.157, whether or not operational. **For any vehicle towed from the scene of an accident at the request of law enforcement and not retrieved by the vehicle's owner within five working days of the accident, the agency requesting the tow shall be required to write an abandoned property report.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 5** was adopted.

Representative Griesheimer offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 18, Section 226.137, Lines 11 to 24 of said page, by deleting all of said lines; and

Further amend said bill, Page 19, Section 226.137, Lines 1 to 16 of said page, by deleting all of said lines and inserting in lieu thereof the following:

**"highway and transportation commission shall annually present a proposed plan and an analysis demonstrating the feasibility and appropriateness of such bond issuance to the "Missouri Independent Citizens' Commission" which is hereby established. The commission shall be composed of ten members appointed by the governor with the advice and consent of the senate, with one member from each of the ten state highway districts. The members shall be appointed for terms of six years, except for those members first appointed three members shall serve for two years, three members shall serve for four years, and four members shall serve for six years. Each member shall serve until his or her successor shall qualify. The commission shall elect from its membership a chairperson. No more than five members of the commission shall be from the same political party. Each member shall be reimbursed for actual and necessary expenses incurred in the performance of his or her official duties. The proposed bond plan and analysis shall be submitted by the highways and transportation commission to the independent citizens' commission by February first of each year. The plan to issue bonds shall become effective unless disapproved by a majority vote of the independent citizens' commission within forty-five calendar days of its submission. If no majority vote to disapprove the bond plan is made within forty-five days of its submission, the plan shall become effective immediately. The plan submitted by the highways and transportation commission shall not be subject to amendment by the independent citizens' commission and may only be rejected in its entirety.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Griesheimer moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

**HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, with HS, as amended, pending,** was laid over.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1568**, entitled:

An act to repeal sections 375.246, 375.330, 375.1202, 376.311, 376.671, 376.951, 376.952, 376.955, 376.957 and 379.080, RSMo, and to enact in lieu thereof fourteen new sections relating to insurance.

In which the concurrence of the House is respectfully requested.

On motion of Representative Foley, the House recessed until 1:40 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Kreider.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1794

and

House Resolution No. 1795 - Representative Dolan

House Resolution No. 1796

and

House Resolution No. 1797 - Representative Relford

House Resolution No. 1798

and

House Resolution No. 1799 - Representative Vogel

House Resolution No. 1800 - Representative Ostmann

House Resolution No. 1801 - Representative Johnson (61)

House Resolution No. 1802

through

House Resolution No. 1829 - Representative Murphy

House Resolution No. 1830

through

House Resolution No. 1844 - Representative Cunningham

House Resolution No. 1845

and

House Resolution No. 1846 - Representative Fares

House Resolution No. 1847 - Representative Gratz

House Resolution No. 1848 - Representative Dolan

### HOUSE BILL WITH SENATE AMENDMENT

**SCS HB 2080**, relating to retirement benefits for prosecutors, was taken up by Representative Britt.

On motion of Representative Britt, **SCS HB 2080** was adopted by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Reid
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Bland	Cierpiot	Dolan	Froelker
Harlan	Holand	Hunter	Kelly 144	Liese
Lograsso	Long	Monaco	Ostmann	Rector
Reinhart	Richardson	Secrest	Townley	Van Zandt
Williams				

VACANCIES: 001

On motion of Representative Britt, **SCS HB 2080** was truly agreed to and finally passed by the following vote:

AYES: 135

Abel	Baker	Ballard	Barnett	Barnitz
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Enz	Farnen	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Liese	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Reid	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 027

Barry 100	Byrd	Cierpiot	Copenhaver	Dolan
Fares	Foley	Froelker	Harlan	Hendrickson
Jolly	Kelly 144	Legan	Linton	Lograsso
Lowe	Miller	Monaco	Rector	Reinhart
Richardson	Secrest	Shields	St. Onge	Townley
Van Zandt	Williams			

VACANCIES: 001

Speaker Kreider declared the bill passed.

### THIRD READING OF SENATE BILL

**HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, with HS, as amended, pending,** relating to transportation, was again taken up by Representative Koller.

Representative Koller offered **House Amendment No. 7.**



*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 6, Section 142.803, Line 15 of said page, by inserting immediately after all of said line the following:

**"3. In addition to the tax levied and imposed pursuant to subdivision (1) of subsection 1 of this section, an additional tax of three cents per gallon is hereby levied and imposed on motor fuel used or consumed in this state. The revenue derived from the additional tax of three cents per gallon imposed pursuant to this subsection shall be distributed and used as provided in article IV, section 30(a) of the Missouri Constitution. The additional tax imposed pursuant to this subsection is imposed upon the ultimate consumer, but is to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax. The additional revenue derived from the tax imposed by this subsection shall not be part of the total state revenue within the meaning of article X, sections 17 and 18 of the Missouri Constitution. The expenditure of this revenue shall not be an expense of state government pursuant to article X, section 20 of the Missouri Constitution. The additional tax imposed by this section shall expire on December 31, 2022.";** and

Further amend said bill, Page 9, Section 144.020, Line 21 of said page, by inserting immediately after the word **"tax"** the following: **"of three-fourths"**; and

Further amend said bill, Page 10, Section 144.020, Line 3 of said page, by inserting immediately after the words **"equivalent to"** the following: **"three-fourths of"**; and

Further amend said bill, Page 10, Section 144.020, Line 9 of said page, by inserting immediately after the word **"additional"** the following: **"three-fourths of"**; and

Further amend said bill, Page 10, Section 144.020, Line 11 of said page, by inserting immediately after the word **"additional"** the following: **"three-fourths of"**; and

Further amend said bill, Page 10, Section 144.020, Line 16 of said page, by inserting immediately after the word **"additional"** the following: **"three-fourths of"**; and

Further amend said bill, Page 11, Section 144.021, Line 24 of said page, by deleting the words "[four] **five**" and inserting in lieu thereof the following: **"four and three-fourths"**; and

Further amend said bill, Page 77, Section C, Line 18 of said page, by inserting immediately after the word **"sections"** the following: **"142.803,"**; and

Further amend said bill, Page 78, Section C, Line 2 of said page, by inserting immediately after the word **"sections"** the following: **"142.803,"**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1*  
*for*  
*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by removing section 144.020 from the bill; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Reid moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Ballard	Bartle	Berkstresser	Boatright	Boykins
Byrd	Cierpiot	Cooper	Crowell	Daus
Dempsey	Gambara	Gaskill	Green 15	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Holt
Hunter	Jetton	Johnson 61	Kelley 47	Kelly 144
Kelly 36	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Mayer	Miller	Moore
Murphy	Paone	Phillips	Purgason	Rector
Reid	Richardson	Roark	Ross	Schwab
Scott	Selby	Surface	Townley	Villa
Wilson 42	Wright			

NOES: 098

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Burton	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crawford	Crump	Cunningham
Curls	Davis	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Froelker	George
Graham	Gratz	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hilgemann	Hollingsworth	Hoppe	Hosmer
Johnson 90	Jolly	Jones	King	Koller
Liese	Luetkenhaus	Marsh	May 149	Mays 50
McKenna	Merideth	Monaco	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Portwood	Quinn	Ransdall	Relford	Reynolds
Rizzo	Robirds	Scheve	Seigfreid	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Troupe	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Mr. Speaker		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 011

Baker	Enz	Hickey	Kelly 27	Lawson
Lowe	Reinhart	Ridgeway	Secrest	Van Zandt
Williams				

VACANCIES: 001

Representative Gambaro offered **House Substitute Amendment No. 2 for House Amendment No. 7.**

*House Substitute Amendment No. 2  
for  
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 11, Section 144.021, Line 24, by deleting said line and inserting in its place the following: “**retail, and remit tax at four and three eighths percent of their gross**”.

Representative Smith assumed the Chair.

Speaker Kreider resumed the Chair.

On motion of Representative Gambaro, **House Substitute Amendment No. 2 for House Amendment No. 7** was adopted by the following vote:

AYES: 074

Barnett	Barnitz	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Boatright	Bonner	Boykins
Bray 84	Burcham	Burton	Campbell	Champion
Cierpiot	Cooper	Crawford	Crump	Cunningham
Daus	Dempsey	Enz	Froelker	Gambaro
Griesheimer	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Holt	Hoppe	Hunter
Johnson 61	Kelley 47	Kelly 144	King	Legan
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
May 149	Mays 50	Miller	Moore	Myers
Naeger	Nordwald	O'Toole	Paone	Phillips
Purgason	Quinn	Reid	Reinhart	Ridgeway
Ross	Schwab	Scott	Shields	Surface
Thompson	Townley	Troupe	Villa	Vogel
Walton	Ward	Willoughby	Wright	

NOES: 073

Barry 100	Berkowitz	Black	Bland	Boucher
Bowman	Britt	Byrd	Carnahan	Clayton
Copenhaver	Crowell	Curls	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hilgemann	Hollingsworth

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Jetton	Johnson 90	Jolly	Jones	Kelly 36
Koller	Liese	Marsh	Mayer	McKenna
Merideth	O'Connor	Ostmann	Overschmidt	Portwood
Ransdall	Rector	Relford	Reynolds	Rizzo
Roark	Robirds	Scheve	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Treadway	Walker	Whorton	Williams
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 002

Brooks                      Wagner

ABSENT WITH LEAVE: 013

Abel	Baker	Ballard	Hosmer	Kelly 27
Lawson	Long	Lowe	Monaco	Murphy
Richardson	Secrest	Van Zandt		

VACANCIES: 001

**HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, with HS, as amended, pending, was laid over.**

Representative Scheve assumed the Chair.

### **THIRD READING OF SENATE BILLS - CONSENT**

**SCS SB 966**, relating to a special license plate, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **SCS SB 966** was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt

Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Whorton
Williams	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 005

Franklin	Purgason	Roark	Townley	Wilson 25
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PRESENT: 003

Harding	Seigfreid	Ward
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ABSENT WITH LEAVE: 014

Baker	Ballard	Harlan	Haywood	Hickey
Hosmer	Kelly 27	Lawson	Lograsso	Long
O'Toole	Paone	Secrest	Van Zandt	

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 798**, relating to a special license plate, was taken up by Representative Ross.

On motion of Representative Ross, **SB 798** was truly agreed to and finally passed by the following vote:

AYES: 132

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Champion	Cierpiot
Cooper	Crawford	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Jetton	Johnson 61	Johnson 90	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid

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Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 012

Boatright	Burcham	Clayton	Crowell	Franklin
Hunter	Jolly	Monaco	Purgason	Smith
Townley	Wilson 25			

PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 016

Ballard	Carnahan	Harlan	Hickey	Hohulin
Hosmer	Kelly 27	Lawson	Long	Marble
O'Toole	Ostmann	Paone	Secrest	Van Zandt
Williams				

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCS SB 745**, relating to a special license plate, was taken up by Representative Kelly (144).

On motion of Representative Kelly (144), **SCS SB 745** was truly agreed to and finally passed by the following vote:

AYES: 135

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstreser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marsh	May 149	Mayer	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve

Schwab	Scott	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 002

Townley                      Wilson 25

PRESENT: 002

Copenhaver                Harding

ABSENT WITH LEAVE: 023

Baker	Ballard	Burcham	Foley	Franklin
Harlan	Hickey	Hohulin	Hosmer	Kelly 27
Lawson	Long	Marble	Mays 50	Murphy
O'Toole	Ostmann	Paone	Richardson	Secrest
Seigfreid	Van Zandt	Williams		

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCS SB 656**, relating to insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCS SB 656** was truly agreed to and finally passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid

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Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Ballard	Bland	Fares	Foley
Franklin	Harlan	Hickey	Hohulin	Hosmer
Kelly 27	Lawson	Long	Marble	Mays 50
O'Toole	Paone	Richardson	Secrest	Treadway
Van Zandt	Williams			

VACANCIES: 001

Representative Scheve declared the bill passed.

**SB 726**, relating to Emergency Services Day, was taken up by Representative Gaskill.

On motion of Representative Gaskill, **SB 726** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge



Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Ballard	Crump	Franklin	Harlan
Hickey	Hohulin	Hosmer	Kelly 27	Lawson
Lograsso	Long	O'Toole	Ostmann	Paone
Relford	Richardson	Secrest	Van Zandt	Williams

VACANCIES: 001

Representative Scheve declared the bill passed.

### ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTIONS

**SCR 46**, relating to Temporary Assistance for Needy Families Program reauthorization, was taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **SCR 46** was read the third time and passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs

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Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 004

Boatright	Hendrickson	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Ballard	Barry 100	Crump	Franklin
Harlan	Hickey	Hohulin	Hosmer	Kelly 27
Lawson	Long	Murphy	O'Toole	Paone
Richardson	Secrest	Van Zandt	Williams	

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCR 37**, relating to Medicare, was taken up by Representative Johnson (61).

On motion of Representative Johnson (61), **SCR 37** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway

Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Crump	Franklin	Harlan	Henderson
Hickey	Hohulin	Hosmer	Kelly 144	Kelly 27
Lawson	Long	Myers	O'Toole	Paone
Richardson	Secrest	Van Zandt		

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCR 36**, relating to the Joint Interim Committee on Education Funding, was taken up by Representative Davis.

On motion of Representative Davis, **SCR 36** was read the third time and passed by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Carnahan	Crump	Franklin	Hampton
Harlan	Hickey	Hohulin	Hosmer	Kelly 27
Lawson	Long	Luetkenhaus	O'Toole	Ostmann
Paone	Richardson	Secrest	Van Zandt	

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCS SCR 47**, relating to the Poultry Industry Commission, was taken up by Representative Gaskill.

On motion of Representative Gaskill, **SCS SCR 47** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Barry 100	Byrd	Carnahan	Franklin
Harlan	Hickey	Hohulin	Hosmer	Lawson
Monaco	Paone	Rector	Richardson	Secrest
Van Zandt	Vogel			

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCR 54**, relating to Women's History Month, was taken up by Representative Fares.

On motion of Representative Fares, **SCR 54** was read the third time and passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Byrd	Crump	Franklin	Harlan
Hickey	Hohulin	Hosmer	Lawson	O'Toole
Paone	Richardson	Robirds	Secrest	Van Zandt

VACANCIES: 001

Representative Scheve declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1381**, entitled:

An act to amend chapter 375, RSMo, by adding thereto one new section relating to interpretation of insurance materials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1701**, entitled:

An act to repeal sections 376.671, 376.951, 376.952, 376.955 and 376.957, RSMo, and to enact in lieu thereof nine new sections relating to long-term care insurance.

In which the concurrence of the House is respectfully requested.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1381**, relating to the English language, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCS HB 1381** was adopted by the following vote:

AYES: 143

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe

Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Carnahan	Crump	Dempsey
Franklin	Graham	Harlan	Hartzler	Hickey
Hosmer	Kelly 144	Lawson	Marble	O'Toole
Richardson	Secrest	Van Zandt		

VACANCIES: 001

On motion of Representative Luetkenhaus, **SCS HB 1381** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Legan	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby

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Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Carnahan	Cierpiot	Dempsey	Graham
Harding	Harlan	Hickey	Hosmer	Kelly 144
Koller	Lawson	Liese	Richardson	Secrest
Shields	Van Zandt			

VACANCIES: 001

Representative Scheve declared the bill passed.

**SCS HB 1568**, relating to insurance, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCS HB 1568** was adopted by the following vote:

AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hohulin	Hollingsworth	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	King	Legan
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith



St. Onge	Surface	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Carnahan	Crump	Franklin	Graham
Harlan	Hilgemann	Holand	Hosmer	Kelley 47
Kelly 144	Koller	Lawson	Liese	O'Toole
Richardson	Secrest	Townley	Van Zandt	

VACANCIES: 001

On motion of Representative Luetkenhaus, **SCS HB 1568** was truly agreed to and finally passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hohulin	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Legan	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Byrd	Carnahan	Crowell	Foley
Franklin	Graham	Harlan	Hickey	Hilgemann
Holand	Hosmer	Kelly 144	Koller	Lawson
Liese	O'Toole	Richardson	Secrest	Van Zandt

VACANCIES: 001

Representative Scheve declared the bill passed.

### **PERFECTION OF HOUSE BILL**

**HCS HB 1231**, relating to service animals, was taken up by Representative Harding.

Representative Harding offered **HS HCS HB 1231**.

Representative Hanaway offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1231, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To amend chapter 566, RSMo, by adding thereto twelve new sections relating to animals, with penalty provisions."; and

Further amend said bill by inserting in the appropriate location the following section:

**"Section 12. 1. For purposes of this section, the following terms mean:**

**(1) "Animal", every creature, either alive or dead, other than a human being;**

**(2) "Sexual conduct with an animal", any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying sexual desire.**

**2. No person shall engage in any sexual conduct with an animal, or cause, aid or abet another person to engage in any sexual conduct with an animal. No person shall permit any sexual conduct with an animal on any premises under such person's charge or control. No person shall engage in, promote, aid or abet any activity involving any sexual conduct with an animal for commercial or recreational purposes.**

**3. Any person who violates this section shall be guilty of a class D felony. Any person who violates this section in the presence of a minor or causes any animal serious physical injury or death while violating or attempting to violate this section shall be guilty of a class C felony.**

**4. In addition to the penalty imposed, the court may:**

**(1) Prohibit the defendant permanently or for a reasonable time from harboring animals or residing in any household where animals are present;**

**(2) Order the defendant to relinquish and permanently forfeit all animals residing in the defendant's household to a recognized or duly incorporated animal shelter or humane society, and order the defendant to reimburse such shelter or humane society for all reasonable costs incurred for the care and maintenance of the animals involved in the violation of this section; and**

**(3) Order psychological evaluation and counseling of the defendant, at the defendant's expense.**

**5. Nothing in this section shall be construed to prohibit generally accepted animal husbandry practices or generally accepted veterinary medical practices performed by a licensed veterinarian or veterinary technician.**

**6. Any person acting under authority of this section may seize any and all animals involved in the alleged violation. The defendant charged with violating this section shall be provided a disposition hearing pursuant to section 578.018, RSMo."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hanaway, **House Amendment No. 1** was adopted.

On motion of Representative Harding, **HS HCS HB 1231, as amended**, was adopted.

On motion of Representative Harding, **HS HCS HB 1231, as amended**, was ordered perfected and printed.

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SB 713** - Miscellaneous Bills & Resolutions

**SCS SB 878** - Children, Families and Health

**SB 1014** - Judiciary

**SCS SB 1026** - Children, Families and Health

**SS#2 SCS SB 1152** - Judiciary

### **COMMITTEE REPORTS**

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **HB 2086**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SB 680**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Critical Issues, Consumer Protection and Housing**, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **HOUSE CONCURRENT RESOLUTION NO. 30**

Whereas, universal design is the design of products and environments to be usable by all persons, to the greatest extent possible, without the need for adaption or specialized design; and

Whereas, the intent of universal design is to simplify life for everyone by making products, communications, and homes more usable by as many persons as possible at little or no extra cost; and

Whereas, the average lifespan has increased to age 76, with nearly 80 percent of the population living past the age of 65. Projections based on the United States Census Bureau estimates indicate that the number of persons ages 65 and over will grow to almost 40 million by the year 2010 and by the year 2020 the number of persons over the age of 85 will be between 7 and 8 million; and

Whereas, more people are living with disability, with an estimated 8.6 million persons having difficulty with one or more activities of daily living and 4.1 million persons needing personal assistance of some kind; and

Whereas, universal design strives to integrate persons with disabilities into the mainstream and recognizes the significant limitations imposed by products and environments designed and built without regard to the needs and rights of all citizens of this nation and state; and

Whereas, with the potential consumers utilizing universal design homes who may be functionally limited by age or disability increasing at a dramatic rate, these populations are no longer an insignificant or silent minority; and

Whereas, the current generation of children, baby boomers entering middle age, older adults, persons with disabilities, and individuals inconvenienced by circumstance constitute a market majority, and these constituencies and all consumers deserve to be recognized and respected; and

Whereas, the use of no-step entries, and wider entryways, hallways, interior doorways, and bathroom and kitchen spaces will benefit all consumers as well as those persons with disabilities; and

Whereas, the State of Missouri should endorse the concept of universal design in new home construction and encourage builders to utilize universal design features that make homes safer, more convenient, and comfortable for all persons regardless of age, size, or ability:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby endorse the concept of universal design in the construction of new homes, products, and environments, and encourage builders to utilize universal design features in the construction of new homes.

**Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **HCR 35**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.**

HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE CONCURRENT RESOLUTION NO. 35

Whereas, the adult pregnancy rate associated with rape is estimated to be 4.7 percent, with more than 32,000 American women becoming pregnant as a result of rape each year; and

Whereas, 1,351 rapes were reported in the State of Missouri in 2000 and it is estimated that up to 84 percent of rapes are not reported, making the actual number of rapes in Missouri closer to 8,444; and

Whereas, a component of domestic violence is forced unwanted sexual activities, thereby denying women the opportunity to use contraception; and

Whereas, surveys of battered women revealed that 37 to 45 percent of those women reported being raped by their partners; and

Whereas, standards of emergency care established by the American Medical Association (AMA) require that rape survivors be counseled about their risk of pregnancy and given emergency contraception; and

Whereas, many sexual assault survivors are denied the option of deciding whether to risk becoming pregnant as a result of the rape because hospitals fail to counsel about or offer emergency contraception to them, even when they arrive within the 72-hour window of opportunity; and

Whereas, according to a national survey of women, 78 percent believe that hospitals should be required to offer emergency contraception to rape survivors; and

Whereas, a 2001 study of hospital emergency rooms in Missouri reveals that 39 percent do not offer emergency contraception to rape survivors and less than one quarter (24 percent) provide referrals for emergency contraception; and

Whereas, emergency contraception is a safe and 75 percent effective method for women to use to prevent pregnancy up to 72 hours after unprotected intercourse or contraceptive failure, and is 95 percent effective if used within 24 hours; and

Whereas, emergency contraception pills, like other hormonal forms of contraception, prevent pregnancy by delaying ovulation by preventing fertilization or by preventing implantation, and do not affect established pregnancies; and

Whereas, surveys have shown that 41 percent of the general public is unaware of emergency contraception, 72 percent of those who have heard of it do not realize that it is available in the United States, and only 11 percent understand the need for treatment to be initiated within 72 hours of sexual activity; and

Whereas, nearly half of women age 18 to 44, once informed about emergency contraception, said they would be likely to use it; and

Whereas, while virtually all obstetricians and gynecologists consider oral contraceptives to be safe and effective for use after unprotected sex to prevent pregnancy, only 24 percent discuss the option as part of routine contraceptive counseling, and many raise the issue only when confronted with a patient's emergency situation; and

Whereas, a 1999 American Medical Association study expressed concerns with the large number of women having limited access to health care services, being uninsured, or having no relationship with a physician, making the process of obtaining an emergency contraception prescription extremely difficult; and

Whereas, many pharmacists remain unaware of the pertinent facts regarding emergency contraception, undermining their ability to effectively counsel women on this option; and

Whereas, a 2001 study of pharmacies in Missouri reveals that fewer than one-half (48 percent) of Missouri pharmacies surveyed would fill prescriptions for emergency contraception and only 35 percent provide referrals; and

Whereas, experts estimate that widespread use of emergency contraception as back-up for birth control could reduce unintended pregnancies and abortions by one-half; and

Whereas, in February 1997, the United States Food and Drug Administration declared that certain brands of oral contraceptives were safe and effective for use as emergency contraceptive pills; and

Whereas, the American College of Obstetricians and Gynecologists, the American Medical Association, and the World Health Organization all state that there are no contraindications to emergency contraceptive pills:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage the Division of Maternal, Child and Family Health within the Department of Health and Senior Services to initiate activities to raise awareness of emergency contraception among health care providers, pharmacists, hospitals, and the community at large. Information on emergency contraception should include its availability, its use and safety, appropriate counseling about and referrals for, and its effectiveness in preventing pregnancies if taken as soon as possible within the first 72 hours; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Health and Senior Services and the Director of the Division of Maternal, Child and Family Health.

Mr. Speaker: Your Committee on Critical Issues, Consumer Protection and Housing, to which was referred **SCS SBs 1061 & 1062**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Education-Elementary and Secondary**, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **HCR 40**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### HOUSE CONCURRENT RESOLUTION NO. 40

Whereas, current studies indicate that children left at home alone and unsupervised have lower academic test scores, have higher absentee rates at school, exhibit higher levels of fear, stress, nightmares, loneliness, and boredom, are 1.7 times more likely to use alcohol, and are 1.6 times more likely to smoke cigarettes; and

Whereas, recent data shows that violent juvenile crime rates soar and children are most likely to be victims of a violent crime committed by a nonfamily member between the hours of 3 p.m. and 8 p.m., the hours immediately after school; and

Whereas, according to the National Center for Juvenile Justice, children are at greater risk of being involved in crime, substance abuse, and teenage pregnancy in the hours after school, especially between the hours of 3 p.m. and 4 p.m.; and

Whereas, the most common activity for children after school is watching television, resulting in an average 23 hours of television watching per week; and

Whereas, the parents of more than 800,000 Missouri school-age children work outside the home; and

Whereas, according to the estimates of the Urban Institute of the United States Census Bureau, at least 7 million and as many as 15 million "latchkey children" return to an empty house on any given afternoon; and

Whereas, in the United States, families worry about their children being unsafe and having too much idle, unsupervised time; and

Whereas, the United States Departments of Education and Justice report that children in quality after-school programs have better academic performance, school attendance, behavior, and greater expectations for the future; and

Whereas, children who attend high quality after-school programs have better peer relations, emotional adjustment, conflict resolution skills, grades, and conduct in school compared to their peers who are not in after-school programs; and

Whereas, children who attend after-school programs spend more time in learning opportunities, academic activities, and enrichment activities, and spend less time watching television than their peers; and

Whereas, children who attend after-school programs miss fewer days of school, have better homework completion, better school behavior, and higher test scores; and

Whereas, the United States Congress has recognized the beneficial impact of after-school programs to our youth, and has increased the funding of after-school programs administered by the Missouri Department of Elementary and Secondary Education; and

Whereas, 92% of all Americans believe there should be organized activities for all youth during after-school hours; and

Whereas, it is estimated that less than 25% of all school-age children attend any after-school program, leaving 75% of our youth without a safe, supportive, and enriching environment during the unsupervised hours after the formal school day ends:

Now, therefore, be it resolved by the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, that a Joint Interim Committee on After-school Programs be created, to be comprised of three members of the House of Representatives, appointed by the Speaker of the House of Representatives and the House Minority Floor Leader, and three members of the Senate, appointed by the President Pro Tem of the Senate and the Senate Minority Floor Leader, and

Be it further resolved that the committee make a comprehensive analysis of the quantity and quality of Missouri after-school programs, including the solicitation of information from appropriate state agencies, public schools, youth development organizations, law enforcement agencies and juvenile officers, youth development and education experts, and the public (including youth) regarding the status of after-school programs; and

Be it further resolved that the committee, in consultation with the Departments of Elementary and Secondary Education and Social Services, make recommendations for an efficient and effective development plan to provide the opportunity for every Missouri school-age child to access quality after-school programs and design a system to train, mentor, and support after-school programs, and thereby guarantee their sustainability; and

Be it further resolved that the committee be authorized to hold hearings as it deems advisable, and that the staffs of House Research, Senate Research, and the Committee on Legislative Research provide such legal, research, clerical, technical, and bill drafting services requested by the committee; and

Be it further resolved that the General Assembly endorses all of state government to enthusiastically encourage our citizens to engage in innovative after-school programs and activities that ensure that all Missouri school-age children are not only safe, but also productive when the school day ends; and

Be it further resolved that the committee report its recommendations and findings to the General Assembly by January 1, 2003, and the authority of such committee shall terminate on December 31, 2002, unless reauthorized.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 718**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SCS SB 722**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Education-Elementary and Secondary, to which was referred **SB 859**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Insurance**, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SCR 58**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**.

*House Committee Amendment No. 1*

AMEND Senate Concurrent Resolution No. 58, Page 1, Line 4, by deleting the words “an emergency rule and”; and

Further amend said resolution, Page 2, Lines 10-11 of said page, by deleting said lines and by inserting in lieu thereof the following:

**“directed the Department of Insurance to promulgate a proposed rule to go into effect on August 28, 2002, and to sunset on August 28, 2003,”**; and

Further amend said resolution, Page 2, Line 19 of said page, by deleting the words “an emergency and” and by inserting in lieu thereof the word “a”; and

Further amend said resolution, Page 2, Line 23 of said page, by deleting the words “an emergency and” and by inserting in lieu thereof the word “a”; and

Further amend said resolution, Page 3, Lines 3-4 of said page, by deleting said lines and by inserting in lieu thereof the following:

**“directs the Department of Insurance to promulgate a proposed rule and to go into effect on August 28, 2002, and to sunset on August 28, 2003,”**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 1266**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 1143**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Social Services, Medicaid and the Elderly**, Chairman Ladd Baker reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SS SCS SBs 670 & 684**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.



**Committee on Urban Affairs**, Chairman Curls reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **SB 1039**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 1279, 1162 & 1164**, entitled:

An act to repeal sections 70.853, 99.845, 143.183, 172.273 and 253.559, RSMo, and to enact in lieu thereof twenty-nine new sections relating to community development, with a termination date for a certain section and an effective date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1281**, entitled:

An act to appropriate money pursuant to Article IV, Section 27(a), Subsection 5 of the Missouri Constitution and for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds designated for the fiscal period ending June 30, 2002.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SB 1220, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Monaco is no longer a member of the Rules, Joint Rules and Bills Perfected and Printed Committee.

Representative Johnson (61) has been appointed a member of the Rules, Joint Rules and Bills Perfected and Printed Committee.

**SUPPLEMENTAL CALENDAR**

**May 7, 2002**

**SENATE BILLS FOR THIRD READING**

- 1 HCS SS SCS SB 670 & 684 - Harlan
- 2 HCS SB 1039 - Curls
- 3 HCS SCS SB 1061 & 1062 - Harlan
- 4 HCS SCS SB 722 - Relford
- 5 SB 1143 - Monaco
- 6 SB 859 - Ransdall
- 7 HCS SCS SB 680, E.C. - Barry
- 8 HCS SB 718 - Berkowitz
- 9 SCS SB 1266 - Hoppe

**SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

SCR 58, HCA 1, (4-9-02, Pages 1026-1027) - Luetkenhaus

**ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 9:00 a.m., Wednesday, May 8, 2002.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-fifth Day, Monday, May 6, 2002, pages 1604 and 1605, roll call, by showing Representative Behnen voting "aye" rather than "absent with leave".

Pages 1606 and 1607, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Pages 1606 and 1607, roll call, by showing Representative Myers voting "no" rather than "absent with leave".

Pages 1607 and 1608, roll call, by showing Representatives Jones, Kelly (27) and Liese voting "aye" rather than "absent with leave".

Pages 1608 and 1609, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1609 and 1610, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 1610 and 1611, roll call, by showing Representative Willoughby voting "aye" rather than "absent with leave".

Page 1612, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

Pages 1612 and 1613, roll call, by showing Representative Crawford voting "aye" rather than "absent with leave".

Pages 1614 and 1615, roll call, by showing Representatives Carnahan, Copenhaver, Hunter and Kelly (27) voting "aye" rather than "absent with leave".

Pages 1615 and 1616, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1616 and 1617, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1617 and 1618, roll call, by showing Representatives Cooper and Hunter voting "aye" rather than "absent with leave".

Pages 1618 and 1619, roll call, by showing Representatives Reynolds and Robirds voting "aye" rather than "absent with leave".

Pages 1620 and 1621, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1621 and 1622, roll call, by showing Representative Graham voting "aye" rather than "absent with leave".

Pages 1622 and 1623, roll call, by showing Representatives Bartelsmeyer and Hosmer voting "aye" rather than "absent with leave".

Pages 1623 and 1624, roll call, by showing Representatives Hosmer and Paone voting "aye" rather than "absent with leave".

Pages 1624 and 1625, roll call, by showing Representatives Hosmer and Paone voting "aye" rather than "absent with leave".

Pages 1625 and 1626, roll call, by showing Representatives Bartelsmeyer, Crowell, Paone and Phillips voting "aye" rather than "absent with leave".

Page 1627, roll call, by showing Representative Paone voting "aye" rather than "absent with leave".

Pages 1627 and 1628, roll call, by showing Representatives Copenhaver, Liese, Paone and Shoemaker (8) voting "aye" rather than "absent with leave".

Pages 1628 and 1629, roll call, by showing Representatives Cunningham, Froelker, King, Liese and Shoemaker (8) voting "aye" rather than "absent with leave".

Pages 1629 and 1630, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Pages 1630 and 1631, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Pages 1631 and 1632, roll call, by showing Representatives Liese and Willoughby voting "aye" rather than "absent with leave".

Pages 1631 and 1632, roll call, by showing Representative Myers voting "no" rather than "absent with leave".

Pages 1632 and 1633, roll call, by showing Representatives Barry, Liese and Willoughby voting "aye" rather than "absent with leave".

Pages 1633 and 1634, roll call, by showing Representatives Boykins, Harding, Liese and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1633 and 1634, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Pages 1637 and 1638, roll call, by showing Representative Willoughby voting "aye" rather than "absent with leave".

Pages 1639 and 1640, roll call, by showing Representative Wagner voting "no" rather than "absent with leave".

Pages 1639 and 1640, roll call, by showing Representative Copenhaver voting "no" rather than "present".

Page 1647, roll call, by showing Representatives Boykins and Hunter voting "aye" rather than "absent with leave".

Page 1650, roll call, by showing Representatives Dolan and Paone voting "aye" rather than "absent with leave".

Pages 1651 and 1652, roll call, by showing Representatives Carnahan and Dolan voting "aye" rather than "absent with leave".

Pages 1652 and 1653, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 1652 and 1653, roll call, by showing Representative Shoemaker (8) voting "aye" rather than "no".

Pages 1653 and 1654, roll call, by showing Representative Dolan voting "aye" rather than "absent with leave".

Pages 1658 and 1659, roll call, by showing Representatives Carnahan and Dempsey voting "aye" rather than "absent with leave".

Pages 1659 and 1660, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Pages 1660 and 1661, roll call, by showing Representatives Graham and Shoemyer (9) voting "aye" rather than "absent with leave".

Pages 1660 and 1661, roll call, by showing Representative Bartelsmeyer voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Wednesday, May 8, 2002. Hearing Room 7 upon morning recess.

Executive Session.

Public Hearing to be held on: SB 837

### **CHILDREN, FAMILIES, AND HEALTH**

Wednesday, May 8, 2002. Hearing Room 4 upon noon adjournment. AMENDED NOTICE.

Executive Session will follow.

Public Hearing to be held on: SB 878, SB 1026

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Wednesday, May 8, 2002, 8:00 a.m. Hearing Room 3.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 9, 2002, 8:00 a.m. Hearing Room 3.

### **EDUCATION - ELEMENTARY AND SECONDARY**

Wednesday, May 8, 2002, 8:30 a.m. Hearing Room 5. AMENDED NOTICE.

Executive Session to reconsider SCS SB 756 #2

**FISCAL REVIEW AND GOVERNMENT REFORM**

Wednesday, May 8, 2002, 8:45 a.m. Side gallery.

Executive Session.

Public Hearing to be held on: SB 810

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, May 9, 2002, 8:00 a.m. AMENDED NOTICE - DATE CHANGE.

Senator Rohrbach's Office, Room 221.

**LOCAL GOVERNMENT AND RELATED MATTERS**

Wednesday, May 8, 2002. Hearing Room 1 upon morning recess.

Continuation of May 7th hearing.

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, May 8, 2002, 8:00 a.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SB 713

**UTILITIES REGULATION**

Wednesday, May 8, 2002, 8:30 a.m. Hearing Room 7.

Executive Session.

Public Hearing to be held on: SB 900

**HOUSE CALENDAR**

SIXTY-SEVENTH DAY, WEDNESDAY, MAY 8, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton
- 11 HB 1211 - Smith
- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)

- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher
- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley
- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)
- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall
- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1069 - Bray
- 2 HCS HB 1479 - Ladd Baker
- 3 HB 2160, as amended - Britt
- 4 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 5 HB 1916 - Franklin

#### **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCS HCR 35, (May 7, 2002) - Riback Wilson (25)
- 2 HCR 30, (May 7, 2002) - Boucher
- 3 HCR 40, (May 7, 2002) - Walton

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HB 1594, (Fiscal Review 4-29-02) - Gratz
- 3 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo

**SENATE BILLS FOR SECOND READING**

- 1 SB 1281
- 2 SS#2 SCS SB 1279, 1162 & 1164

**SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

SCR 58, HCA 1 (Klarich) (4-9-02, Pages 1026-1027) - Luetkenhaus

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 831, (Loudon) - Gambaro

**SENATE BILLS FOR THIRD READING**

- 1 HCS SS SS SCS SB 970, 968, 921, 867, 868 & 738, HS,  
as amended, pending (Westfall) - Koller
- 2 HCS SS SCS SB 675, E.C. (Fiscal Review 5-1-02)(Yeckel) - Seigfreid
- 3 HCS SCS SB 810, (Fiscal Review 5-1-02)(Dougherty) - Ladd Baker
- 4 HCS SCS SB 712, E.C. (Singleton) (Fiscal Review 5-2-02) - O'Toole
- 5 SCS SB 915, 710 & 907, (Westfall) - Koller
- 6 HCS SCS SB 894, 975 & 927, E.C. (Kinder) (Fiscal Review 5-6-02) - O'Toole
- 7 HCS SB 856, (Russell) (Fiscal Review 5-6-02) - Rizzo
- 8 HCS SS SCS SB 670 & 684, (Sims) - Harlan
- 9 HCS SB 1039, (DePasco) - Curls
- 10 HCS SCS SB 1061 & 1062, (Rohrbach) - Harlan
- 11 HCS SCS SB 722, (Bentley) - Relford
- 12 SB 1143, (Jacob) - Monaco
- 13 SB 859, (Russell) - Ransdall
- 14 HCS SCS SB 680, E.C. (Bland) - Barry
- 15 HCS SB 718, (House) - Berkowitz
- 16 SCS SB 1266, (Kenney) - Hoppe

**SENATE BILL FOR THIRD READING - INFORMAL**

HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 2009 - O'Connor
- 2 SCS HB 1701 - Luetkenhaus



**BILLS CARRYING REQUEST MESSAGES**

- 1 SCS HB 1313, (request Senate recede/grant conference) - Burton
- 2 HS SB 1220, as amended (request House recede/grant conference) - O'Toole

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall
- 8 SCS HCS HB 1108 - Kelly (27)
- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)
- 11 SCS HCS HB 1111, as amended - Troupe
- 12 SCS HCS HB 1112 - Bonner
- 13 SCS HB 2120 - Ridgeway
- 14 HS HCS SS SB 1248, as amended - Foley
- 15 HCS SB 758 - Hosmer
- 16 HCS SB 795 - Treadway
- 17 HCS SCS SB 980 - Hunter
- 18 HCS SCS SB 1086 & 1126 - Hoppe

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-SEVENTH DAY, WEDNESDAY, MAY 8, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, history and our own experience has shown us that You are active in our lives. Give to us the faith to believe that when You wish us to do or not do a particular thing, that You find ways of letting us know it. May we not let our thoughts crowd out Your guidance.

Bless the men and women of this House, their families and those who work with them. Keep them open this day to Your will as they serve Missouri. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Trevor Evans, Jessica Evans, Pauly Silliman, Michael Riddering, Emily Buck, Ashleigh Redman, Lauren Paige Franklin, Sarah Nicole Franklin, Sophia Lewis, Ryan Drinkert, Brittany Sims, Ajmal Khalid, Doug Manking, John Michael, Carolina Ospina and Krissi Hesse.

The Journal of the sixty-sixth day was approved as corrected.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 123

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Dempsey	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
King	Koller	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	Merideth	Miller	Myers

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Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Relford	Richardson	Ridgeway
Rizzo	Roark	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Troupe	Van Zandt	Villa
Vogel	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 000

PRESENT: 005

Burcham	Reid	Reynolds	Whorton	Wright
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ABSENT WITH LEAVE: 034

Baker	Ballard	Berkstresser	Boatright	Burton
Byrd	Carnahan	Cooper	Crowell	Cunningham
Dolan	Enz	Froelker	Gaskill	Hagan-Harrell
Harlan	Hollingsworth	Kelly 36	Lawson	Lograsso
Marsh	Mays 50	McKenna	Monaco	Moore
Murphy	Naeger	Reinhart	Robirds	Scott
Townley	Treadway	Wagner	Walker	

VACANCIES: 001

### RESOLUTION

Representative Shoemyer (9), et al, offered House Resolution No. 1864.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1849

and

House Resolution No. 1850 - Representative Kreider

House Resolution No. 1851 - Representative Kelly (27)

House Resolution No. 1852

through

House Resolution No. 1854 - Representative Shoemaker (8)

House Resolution No. 1855

and

House Resolution No. 1856 - Representative Moore

House Resolution No. 1857

and

House Resolution No. 1858 - Representative Copenhaver

House Resolution No. 1859 - Representative Villa

House Resolution No. 1860 - Representative Hilgemann

House Resolution No. 1861

and

House Resolution No. 1862 - Representative Froelker

House Resolution No. 1863 - Representative Moore

## SECOND READING OF SENATE BILLS

**SS#2 SCS SBs 1279, 1162 & 1164 and SB 1281** were read the second time.

## COMMITTEE REPORTS

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HB 1594 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SB 810 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## BILL CARRYING REQUEST MESSAGE

**HS SB 1220, as amended**, relating to the Gaming Commission, was taken up by Representative O'Toole.

Representative O'Toole moved that the House refuse to recede from its position on **HS SB 1220, as amended**, and grant the Senate a conference.

Representative Wright made a substitute motion that the House refuse to recede from its position on **HS SB 1220, as amended**, grant the Senate a conference and the House conferees be bound to the House position on **House Amendment No. 2 to Part II of HS SB 1220, as amended**.

Which motion was defeated by the following vote:

AYES: 066

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 36	King	Legan	Linton
Lograsso	Long	Luetkemeyer	May 149	Mayer
Miller	Moore	Myers	Nordwald	Phillips
Portwood	Purgason	Quinn	Rector	Reid

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Reinhart	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	St. Onge	Surface
Wright				

NOES: 073

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Campbell	Clayton	Copenhaver	Crump
Daus	Davis	Farnen	Foley	Franklin
Fraser	Gambara	George	Graham	Green 73
Hagan-Harrell	Hampton	Harding	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Koller
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Monaco	O'Toole	Ostmann	Overschmidt	Paone
Ransdall	Relford	Reynolds	Richardson	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 023

Bray 84	Carnahan	Curls	Gratz	Green 15
Griesheimer	Harlan	Hoppe	Lawson	Marble
Marsh	Merideth	Murphy	Naeger	O'Connor
Ridgeway	Rizzo	Shoemaker	Townley	Treadway
Troupe	Van Zandt	Vogel		

VACANCIES: 001

Representative Boatright requested a verification of the roll call on the substitute motion.

Representative O'Toole again moved that the House refuse to recede from its position on **HS SB 1220, as amended**, and grant the Senate a conference.

Which motion was adopted.

### MOTION

Representative Green (73) moved that Rule 26 be suspended in order to grant leave to the members of the House Conference Committees on **SCS HCS HB 1101 through SCS HCS HB 1112** allowing them to meet while the House is in session.

Which motion was adopted by the following vote:

AYES: 126

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Berkowitz	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crump	Cunningham	Curls
Daus	Davis	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hendrickson	Hickey	Hilgemann	Holand	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Ransdall	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 026

Bartle	Behnen	Boatright	Byrd	Cierpiot
Crowell	Dempsey	Hanaway	Hegeman	Hohulin
Hunter	Jetton	Kelley 47	Kelly 144	Linton
Lograsso	Moore	Nordwald	Phillips	Purgason
Quinn	Rector	Ridgeway	Roark	Secrest
Wright				

PRESENT: 001

Dolan

ABSENT WITH LEAVE: 009

Berkstresser	Franklin	Gratz	Harlan	Henderson
Hollingsworth	Lawson	Marsh	Monaco	

VACANCIES: 001

## HOUSE BILL WITH SENATE AMENDMENT

**SCS HB 2009**, relating to licensure of motor vehicle dealers, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **SCS HB 2009** was adopted by the following vote:

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AYES: 141

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Crump	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambara	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Haywood	Hegeman	Hendrickson	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Cooper	Cunningham	Hartzler	Hunter	Rizzo
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PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Black	Boykins	Campbell
Dolan	Green 73	Harlan	Henderson	Hickey
Hollingsworth	Lawson	Marsh	Naeger	O'Toole
Richardson				

VACANCIES: 001

On motion of Representative O'Connor, **SCS HB 2009** was truly agreed to and finally passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton

Copenhaver	Crawford	Crowell	Crump	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	Nordwald	O'Connor	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Cooper	Cunningham	Hunter	Rizzo	Shoemaker
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PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Black	Boykins	Brooks	Campbell
Gratz	Green 73	Hickey	Hollingsworth	Lawson
Marsh	Miller	Myers	Naeger	O'Toole
Richardson				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider assumed the Chair.

### THIRD READING OF SENATE BILL

**HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, with HS, as amended, pending,** relating to transportation, was taken up by Representative Koller.

Representative Crump, having voted on the prevailing side, moved that the vote by which **House Substitute Amendment No. 2 for House Amendment No. 7** was adopted, be reconsidered.

Which motion was adopted by the following vote:



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AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Byrd	Campbell
Carnahan	Clayton	Copenhaver	Crawford	Crump
Curls	Davis	Dolan	Fares	Farnen
Foley	Franklin	Fraser	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Koller	Liese
Lowe	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Robirds
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Troupe	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Boatright	Burcham	Burton
Champion	Cierpiot	Cooper	Crowell	Cunningham
Daus	Dempsey	Enz	Froelker	Gambaro
Gaskill	Griesheimer	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hunter
Jetton	Kelley 47	Kelly 144	King	Legan
Linton	Lograsso	Long	Luetkemeyer	Marble
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	Surface
Townley	Van Zandt	Villa	Vogel	Wright

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 005

Boykins	Harlan	Lawson	Luetkenhaus	Marsh
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VACANCIES: 001

Representative Gambaro moved that **House Substitute Amendment No. 2 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkstresser
Boatright	Bonner	Burcham	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Daus
Dempsey	Enz	Fraser	Froelker	Gambaro
Gaskill	Griesheimer	Hartzler	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holt
Kelley 47	Kelly 144	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	May 149
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Paone	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	Surface	Townley
Van Zandt	Villa	Vogel		

NOES: 080

Baker	Berkowitz	Black	Bland	Bowman
Boykins	Bray 84	Britt	Brooks	Byrd
Campbell	Carnahan	Clayton	Copenhaver	Crump
Curls	Davis	Dolan	Fares	Farnen
Foley	Franklin	George	Graham	Gratz
Green 15	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Haywood	Hollingsworth	Hoppe	Hosmer
Jetton	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Koller	Liese	Lowe	Luetkenhaus
Mayer	Mays 50	McKenna	Merideth	Monaco
O'Connor	Ostmann	Overschmidt	Ransdall	Relford
Reynolds	Rizzo	Roark	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Treadway	Troupe	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 008

Boucher	Burton	Green 73	Holand	Hunter
Lawson	Marsh	O'Toole		

VACANCIES: 001

On motion of Representative Koller, **House Amendment No. 7** was adopted.

Representative Kelly (27) offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting at the appropriate location the following:

"Section 1. 1. As used in this section, the following terms mean:

(1) "Commissioner", the commissioner of the office of administration;  
(2) "Fleet manager", the state vehicle fleet manager created pursuant to subsection 2 of this section;  
(3) "State vehicle fleet", all vehicles used by the state or titled to the state for the purpose of conducting state business;

(4) "Vehicle", as defined pursuant to section 301.010, RSMo.

2. There is hereby created within the office of administration the position of state vehicle fleet manager. The fleet manager shall be appointed by the commissioner of administration pursuant to the provisions of chapter 36, RSMo.

3. The fleet manager shall institute and supervise a state vehicle fleet tracking system in which the cost of owning and operating each state vehicle is documented by the agency owning the vehicle. All state agencies shall report the purchase and the sale of any vehicle to the fleet manager and provide any additional information requested by the fleet manager in the format, manner, and frequency determined by the office of administration. The fleet manager shall have the authority to suspend any agency's use of its credits established pursuant to section 2 of this act if the agency does not comply with the requirements of this section or section 3, RSMo, until he or she is satisfied that such compliance is achieved.

4. The fleet manager shall submit an annual report to the speaker of the house of representatives, the president pro tempore of the senate, and the governor before January thirty-first of each year. The fleet manager's report shall consist of the status of the state vehicle fleet and any recommendations for improvements and changes necessary for more efficient management of the fleet.

5. The office of administration shall establish guidelines for determining the most cost-effective and reasonable mode of travel under the circumstances for single trips from the following options: passenger rail; vehicle rental; fleet checkout; and reimbursement for personal car use.

6. The commissioner shall issue policies governing the acquisition, assignment, use, replacement, and maintenance of state-owned vehicles.

7. Each agency shall pay a state vehicle fleet fee, as determined by the office of administration, for each vehicle it owns for the purpose of funding the state vehicle fleet tracking system and for other administrative expenses incurred in management of the state vehicle fleet. Any agency that owns at least one thousand vehicles shall receive a credit against the state vehicle fleet fee for the internal fleet management services performed by such agency, provided such agency furnishes all information required by the fleet manager.

8. State agencies shall be responsible for ensuring that state vehicles are used only for state business and not for private purposes.

Section 2. Provisions of section 37.090, RSMo, notwithstanding, all proceeds generated by the sale of a surplus vehicle, except proceeds generated from the department of transportation, the department of conservation, the Missouri state highway patrol, and all state colleges and universities, may be deposited in the state treasury to the credit of the office of administration revolving administrative trust fund and credited to the state agency owning the vehicle at the time of sale. Upon appropriation, moneys credited to agencies from the sale of surplus state fleet vehicles shall be used solely for the purchase of vehicles for the respective agency.

Section 3. All state agencies owning motor vehicles shall be responsible for obtaining an inspection of each of their vehicle's mechanism and equipment in accordance with the provisions of sections 1 to 3, RSMo, and obtaining a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 8** was adopted.

Representative Ostmann offered **House Amendment No. 9**.

Representative Hollingsworth offered **House Substitute Amendment No. 1 for House Amendment No. 9**.

**House Substitute Amendment No. 1 for House Amendment No. 9** was withdrawn.

**House Amendment No. 9** was withdrawn.

Representative Relford offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting in the appropriate location the following section:

**"304.153. 1. Upon approaching a stationary motor vehicle stopped on the shoulder of the roadway, the driver of every motor vehicle shall:**

**(1) Proceed with caution and, if possible with due regard to safety and traffic conditions, make a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or**

**(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.**

**(3) Operators of motor vehicles shall treat tow trucks in the same manner as they are required to treat law enforcement vehicles, ambulances, or any other emergency vehicle.**

**2. Any person who violates the provisions of this section is guilty of an infraction.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hohulin raised a point of order that **House Amendment No. 9** is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Relford, **House Amendment No. 9** was adopted.

Representative Hickey offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting at the appropriate location the following:

**"92.045. 1. Any constitutional charter city in this state which now has or may hereafter acquire a population in excess of three hundred fifty thousand inhabitants, according to the last federal decennial census, is hereby authorized, for city and local purposes, to license, tax, and regulate the occupation of merchants, manufacturers, and all businesses, avocations, pursuits, and callings that are not exempt from the payment of licenses by law and may, by ordinance, base such licenses on gross receipts, gross profits or net profits, per capita, flat fee, graduated scale based on gross or net receipts or sales, or any other method or measurement of tax or any combination thereof derived or allocable to the carrying on or conducting of any business, avocation, pursuits or callings or activities carried on in such cities or airports owned, controlled, or maintained by such cities.**

**2. The local legislative body may grant by ordinance to its administering tax official the power to adopt regulations and rules relating to any matters pertaining to the administration and enforcement of any ordinances enacted in accordance with the authority heretofore given. Copies of such regulations and rules shall be kept in the office of**

such tax official designated in such ordinance and shall be open to inspection by the public. Said regulations or rules may be changed or amended from time to time.

**3. The repeal and reenactment of this section shall become effective January 1, 2005.**

305.510. 1. "The Missouri-St. Louis Metropolitan Airport Authority" is hereby established. The authority is a body corporate and a political subdivision of the state and shall be known as "The Missouri-St. Louis Metropolitan Airport Authority", and in that name may sue and be sued. Actions of the authority are declared to be in the public interest and for a public purpose, and the authority may exercise the powers herein granted or necessarily implied for the purpose of promoting the general welfare and to provide safe and convenient air travel and transportation to and from the greater St. Louis metropolitan area.

2. [After June 30, 1983, the general assembly shall not appropriate or expend any state moneys for the implementation and continuation of this section or the Missouri-St. Louis metropolitan airport authority.] **Beginning January 1, 2005, the authority shall be responsible for the operation of any and all international airports located in Missouri within fifty miles of the city of St. Louis, and shall exercise any and all powers granted to it in this chapter in the exercise of this responsibility. Nothing herein shall be construed to change the ownership of such international airport.**

**3. The authority shall honor all bonds, debts, outstanding obligations and contracts and employee pension plans of any airport or airport authority affected by this section.**

**4. The operation of such airport by the authority shall replace the operation by any other entity created by local ordinance.**

**5. Any profit from the operation of any airport or airport authority affected by this section shall continue to be received by the city of St. Louis.**

**6. The provisions of sections 305.510 and 305.515 shall not affect the tax authorized pursuant to section 92.045, RSMo.**

**7. The repeal and reenactment of this section shall become effective January 1, 2005.**

305.515. 1. [The governor, with the advice and consent of the senate, shall appoint four members of the authority; and two of the members shall be appointed for a term of two years, and two for a term of three years. The governor shall designate one of the authority members as chairman for the first two years. Thereafter, the authority membership shall elect a member to serve as chairman.] The mayor of the city of St. Louis [and the supervisor], **the county executive of St. Louis County, the county executive of St. Charles County and the county commissions of Jefferson and Franklin Counties**, with the advice and consent of their respective governing bodies, shall each appoint [three members of the authority and of the three, one shall be appointed for a term of two years, one for a term of three years, and one for a term of four years. The county commissions of Jefferson, Franklin and St. Charles counties shall each appoint one member of the authority, each such member to serve a term of four years. Thereafter, all appointments shall be for a term of four years.] **one member of the authority for each one hundred thirty thousand residents in the city or county according to the latest decennial census. In no event shall any appointing authority for a city or county appoint a majority of the members of the commission. The members initially appointed in an odd-numbered year by an appointing authority shall be appointed for a term of four years. The initial members appointed in an even-numbered year shall be appointed for a term of two years. Appointments subsequent to the initial appointments shall be for a term of four years. Each member shall be subject to removal by the appointing authority.** Any fraction of a year shall be considered a full year and each member's term of office shall expire on the appropriate fifteenth day of January, but he shall continue to hold office until his successor is appointed and qualified. One more than one-half of the members of the authority shall constitute a quorum. Vacancies occurring in the membership shall be filled by appointment by the person making the original appointment for the unexpired remainder of the term. **The authority membership shall elect a member to serve as chairman.**

2. No person shall be appointed to the authority who is an elected official of the state of Missouri or any political subdivision thereof. No person shall be appointed to the authority who is actively engaged or employed in commercial aeronautics.

3. The members of the authority shall receive as compensation for their services twenty-five dollars per day for the time spent in the performance of their official duties, and also their necessary traveling and other expenses incurred while actually engaged in the discharge of their official duties.

4. Each member shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office. At such time as federal funds are received or revenue bonds are issued, each member shall give bond in the penal sum of one hundred thousand dollars conditioned upon the faithful performance of his duties and the bond shall be filed in the office of the Missouri secretary of state. The cost of the bond shall be paid by the authority.

5. The repeal and reenactment of this section shall become effective January 1, 2005.

305.572. 1. Beginning April 1, 2005, the authority shall enter into negotiations with the appropriate officials from the city of St. Louis to discuss issues regarding employees who work in the area's airport. The issues to be discussed shall include, but not be limited to, the following:

- (1) Employee transition issues;
- (2) Employee pension plans and other retirement issues; and
- (3) The amount of compensation from the city of St. Louis to employee wages, pension plans and other benefit programs.

Any issues discussed between the authority and the city of St. Louis shall not be binding upon the parties.

2. This section shall become effective January 1, 2005."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shelton raised a point of order that **House Amendment No. 10** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Clayton assumed the Chair.

**HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, with House Amendment No. 10 and HS, as amended, pending,** was laid over.

On motion of Representative Crump, the House recessed until 1:30 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Kyle Tamashiro.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1865	-	Representative Jetton
House Resolution No. 1866	-	Representative Farnen
House Resolution No. 1867	-	Representative Fares
House Resolution No. 1868	-	Representative Johnson (61)
House Resolution No. 1869	-	Representative Roark
House Resolution No. 1870	-	Representative Kelly (27)
House Resolution No. 1871	-	Representative Hendrickson
House Resolution No. 1872		
through		
House Resolution No. 1877	-	Representative Barry
House Resolution No. 1878		
through		
House Resolution No. 1882	-	Representative Relford

House Resolution No. 1883 - Representative Byrd  
House Resolution No. 1884 - Representatives Kelley (47) and Bartle  
House Resolution No. 1885 - Representative Secrest  
House Resolution No. 1886 - Representative Gratz

### COMMITTEE REPORTS

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1231**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HS HB 1594 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SB 810 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SCS HB 1313**: Representatives Treadway, Hoppe, Green (15), Burton and Scott

**HS SB 1220**: Representatives O'Toole, Foley, Crump, Richardson and Purgason

**HCS SB 758**: Representatives Hosmer, Britt, Jolly, Reid and Bartle

**HCS SB 795**: Representatives Treadway, Shoemyer (9), Hampton, Portwood and Behnen

### CONFERENCE COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Naeger is no longer a member of the Conference Committee on **SCS HCS HB 1111**.

Representative Shields has been appointed a member of the Conference Committee on **SCS HCS HB 1111**.

### THIRD READING OF SENATE BILL

**HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, with House Amendment No. 10 and HS, as amended, pending,** relating to transportation, was again taken up by Representative Koller.

On motion of Representative Hickey, **House Amendment No. 10** was adopted by the following vote:

AYES: 080

Baker	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Boatright	Bonner
Boucher	Burcham	Burton	Campbell	Champion
Cierpiot	Cooper	Crowell	Cunningham	Dempsey
Dolan	Enz	Farnen	Froelker	Gaskill
Graham	Green 15	Griesheimer	Hagan-Harrell	Hanaway
Hartzler	Henderson	Hendrickson	Hickey	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Kelley 47	King	Legan	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Miller	Moore
Myers	Naeger	O'Connor	Overschmidt	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Scheve	Schwab	Scott	Secrest
Selby	Treadway	Van Zandt	Ward	Wright

NOES: 070

Barnitz	Berkowitz	Black	Bland	Bowman
Boykins	Bray 84	Britt	Brooks	Byrd
Carnahan	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Fares	Foley	Franklin
Fraser	Gambaro	George	Gratz	Hampton
Harding	Harlan	Haywood	Hegeman	Hilgemann
Hohulin	Johnson 61	Jones	Kelly 27	Kelly 36
Koller	Lawson	Long	Mays 50	McKenna
Merideth	Murphy	O'Toole	Ostmann	Paone
Ransdall	Relford	Robirds	Ross	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Troupe
Villa	Vogel	Wagner	Walker	Walton
Whorton	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 002

Abel	Jolly
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ABSENT WITH LEAVE: 010

Ballard	Crawford	Green 73	Holand	Kelly 144
Marsh	Monaco	Nordwald	Seigfreid	Mr. Speaker

VACANCIES: 001

Representative Bray offered **House Amendment No. 11.**



*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Pages 10 and 11, Section 144.020, Lines 23 and 24 of Page 10 and Line 1 of Page 11, by deleting all of said lines and inserting in lieu thereof the following:

**“Missouri state highway patrol;**

**(b) An amount the equivalent of the rate of one-quarter of one cent on the dollar of the taxes imposed by sections 144.010 to 144.430, RSMo, and sections 144.600 to 144.745, RSMo, to be deposited in the transportation sales tax fund created pursuant to section 226.035, RSMo,”; and**

Further amend said bill by inserting at the appropriate location the following:

**“226.035. 1. There is hereby created the "Transportation Sales Tax Fund". The revenue derived from the equivalent of the rate of one-quarter of one cent on the dollar of the taxes imposed by sections 144.010 to 144.340, RSMo, and sections 144.600 to 144.745, RSMo, shall be deposited by the state treasurer in the fund, and all revenues derived from said tax shall be distributed to support the transportation needs of this state and used for no other purpose; except that, of all refunds made of taxes collected pursuant to the provisions of sections 144.010 to 144.430, RSMo, and sections 144.600 to 144.745, RSMo, the appropriate percentage of any refund shall be paid from the transportation sales tax fund, and except that the state may retain a fee as a charge for collecting and disbursing moneys so deposited. The state collection fee shall not exceed one and one-half million dollars or one percent of the amount deposited in the fund, whichever is less. The fee shall be negotiated annually through the appropriation process. Any balance remaining in the fund at the end of an appropriation period shall not be transferred to general revenue, and the provisions of section 33.080, RSMo, shall not apply to the fund. Moneys in the fund shall be invested by the state treasurer in the same deposits and obligations in which state funds are authorized by law to be invested.**

**2. Moneys in the fund shall be distributed to support the transportation needs of this state according to the following formula:**

**(1) Eighty percent shall be dedicated to public transportation and shall be allocated according to department of transportation districts, with district four divided into urban and rural portions consistent with Mid-America regional council boundaries, pursuant to the following formula:**

**(a) One-third of the revenue dedicated to public transportation shall be allocated to the various districts based on the percentage of the state's population residing in each district according to the last decennial census, consistent with section 1.100, RSMo;**

**(b) One-third of the revenue dedicated to public transportation shall be allocated to the various districts based on the percentage of statewide employment existing in each district according to the annual average industry employment statistics published by the bureau of labor statistics of the Missouri department of economic development; and**

**(c) One-third of the revenue dedicated to public transportation shall be allocated to the various districts based on the percentage of statewide number of revenue passengers carried by public agencies providing transit services to the general public in each district during the immediately preceding year, consistent with public transit agency data to be compiled annually by the department of transportation's transit division using transit methodology prescribed by the Federal Transit Administration or its successor agency for reporting on transit systems nationwide.**

**Only public agencies providing transit services to the general public shall be eligible for funding pursuant to this subsection. The department of transportation shall establish a statewide transit agency to award funds through an annual application process. The department of transportation shall allocate and distribute funds to specific transit agencies and projects outside the Kansas City and St. Louis metropolitan areas. The metropolitan planning organizations, in cooperation with the department of transportation, shall allocate and distribute funds to specific transit areas and projects located within the Kansas City and St. Louis metropolitan areas;**

**(2) Thirteen percent shall be dedicated to intercity rail transportation services and facilities;**

**(3) Five percent shall be dedicated to port facilities on navigable waters;**

**(4) One percent shall be dedicated to intercity bus facilities and services;**

**(5) One percent shall be dedicated to bicycle and pedestrian facilities which are integrated with other transportation facilities and rights-of-way.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Koller offered **House Substitute Amendment No. 1 for House Amendment No. 11.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 10, Section 144.020, Line 24 of said page, by deleting the word "**Ten**" and inserting in lieu thereof the word "**Eighteen**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Koller, **House Substitute Amendment No. 1 for House Amendment No. 11** was adopted.

Representative Gratz offered **House Amendment No. 12.**

*House Amendment No. 12*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 48, Section 227.100, Line 19, by inserting immediately after said line the following:

**“5. Any dispute or controversy arising from a contract awarded pursuant to section 226.130.1(9) RSMo shall be arbitrated by a panel of three arbiters pursuant to the provisions of chapter 435, RSMo.”.**

Representative Smith assumed the Chair.

On motion of Representative Gratz, **House Amendment No. 12** was adopted.

Representative Ostmann offered **House Amendment No. 13.**

Representative Roark requested a division of the question on **House Amendment No. 13.**

**House Amendment No. 13** was withdrawn.

Representative Shields offered **House Amendment No. 13.**

*House Amendment No. 13*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 77, Section 307.211, Line 3, by inserting after said line the following:

**"Section 1. All aircraft owned and operated by the state of Missouri or its agencies shall be considered vehicles and shall be under the supervision of the state vehicle fleet manager.";** and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Shields, **House Amendment No. 13** was adopted.

Representative Henderson offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868, & 738, Section 142.803, by removing said section from the bill; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Henderson moved that **House Amendment No. 14** be adopted.

Which motion was defeated.

Representative Luetkenhaus offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 77, Section 307.211, Line 2, by inserting after all of said line the following:

**"Section 1. If the department of transportation removes property from any roadway of this state pursuant to section 304.155, RSMo, such property shall be immediately taken to the shoulder or berm of the roadway, and the department employees shall not use a wrecker, tow truck, or roll-back in the removal process.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Luetkenhaus, **House Amendment No. 15** was adopted.

Representative Bland offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting at the appropriate location the following:

**"Section 1. 1. The state highways and transportation commission shall approve and implement a minority and women employment business enterprises program. The plan shall require all business vendors and contractors to assure the enforcement of an equal opportunity employment plan, and a minority and women business enterprises program that is based on population and availability and which contains specific goals for each such business, as applicable pursuant to state and federal laws.**

2. The state highways and transportation commission shall implement and maintain an equal opportunity employment plan and a minority and women business enterprises program with specific goals which shall be identified and reported by ethnicity and gender. The state highways and transportation commission minority and women business enterprises program shall include the provisions of sections 34.070, 34.073, and 34.076, RSMo. The state highways and transportation commission shall engage the services of a compliance monitor, through either direct employment or by service contract, to assist in the implementation and progress of the program.

3. The state highways and transportation commission shall develop and implement such plan in coordination with Executive Order 98-21, house committee substitute for senate substitute for senate committee substitute for senate bills nos. 808 and 672 as truly agreed to and finally passed by the eighty-fifth general assembly, second regular session, and the Missouri business development commission."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bland, **House Amendment No. 16** was adopted.

Representative Burton offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting in the appropriate location the following sections:

"302.720. 1. Except when operating under an instruction permit as described in this section, no person may drive a commercial motor vehicle unless the person has been issued a commercial driver's license with applicable endorsements valid for the type of vehicle being operated as specified in sections 302.700 to 302.780. A commercial driver's instruction permit shall allow the holder of a valid license to operate a commercial motor vehicle when accompanied by the holder of a commercial driver's license valid for the vehicle being operated and who occupies a seat beside the individual, or reasonably near the individual in the case of buses, for the purpose of giving instruction in driving the commercial motor vehicle. A commercial driver's instruction permit shall be valid for the vehicle being operated for a period of not more than six months, and shall not be issued until the permit holder has met all other requirements of sections 302.700 to 302.780, except for the driving test. A permit holder, unless otherwise disqualified, may be granted one six-month renewal within a one-year period. The fee for such permit or renewal shall be five dollars. In the alternative, a commercial driver's instruction permit shall be issued for a thirty-day period to allow the holder of a valid driver's license to operate a commercial motor vehicle if the applicant has completed all other requirements except the driving test. The permit may be renewed for one additional thirty-day period and the fee for the permit and for renewal shall be five dollars.

2. No person may be issued a commercial driver's license until he has passed written and driving tests for the operation of a commercial motor vehicle which complies with the minimum federal standards established by the secretary and has satisfied all other requirements of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570), as well as any other requirements imposed by state law. Nothing contained in this subsection shall be construed as prohibiting the director from establishing alternate testing formats for those who are functionally illiterate; provided, however, that any such alternate test must comply with the minimum requirements of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) as established by the secretary.

(1) The written and driving tests shall be held at such times and in such places as the [director] **superintendent** may designate. A [five-dollar] **twenty-five dollar** examination fee shall be paid by the applicant upon completion of any written or driving test. The director shall delegate the power to conduct the examinations required under sections 302.700 to 302.780 to any member of the highway patrol or any person employed by the highway patrol qualified to give driving examinations.

(2) The director shall adopt and promulgate rules and regulations governing the certification of third-party testers by the department of revenue. Such rules and regulations shall substantially comply with the requirements of 49 CFR Part 383, Section 383.75. A certification to conduct third-party testing shall be valid for one year, and the department

shall charge a fee of one hundred dollars to issue or renew the certification of any third-party tester. Any third-party tester who violates any of the rules and regulations adopted and promulgated pursuant to this section shall be subject to having his certification revoked by the department. The department shall provide written notice and an opportunity for the third-party tester to be heard in substantially the same manner as provided in chapter 536, RSMo. If any applicant submits evidence that he has successfully completed a test administered by a third-party tester, the actual driving test for a commercial driver's license may then be waived.

(3) Every applicant for renewal of a commercial driver's license shall provide such certifications and information as required by the secretary and if such person transports a hazardous material, such person shall be required to take the written test for such endorsement. A [five-dollar] **twenty-five dollar** examination fee shall be paid [for each test taken] **upon completion of such tests.**

3. [The director may waive the driving test for a commercial driver's license if such applicant provides the certifications required by regulations established by the secretary as a substitute for the driving test and holds a valid license.

4. The certifications may include, but not be limited to, stating that during the two-year period immediately prior to applying for a commercial driver's license the applicant:

- (1) Has not had more than one license;
- (2) Has not had any license suspended, revoked, canceled or disqualified;
- (3) Has not had a conviction in any type of motor vehicle for driving while intoxicated, driving while under the influence of alcohol or controlled substance, leaving the scene of an accident or felony involving the use of a commercial motor vehicle;
- (4) Has not violated any state law or county or municipal ordinance relating to the operation of a motor vehicle in connection with an accident; and
- (5) Has no record of an accident in which such applicant was at fault.

5. In order to be valid as a certification exempting the applicant from the driving test, the applicant shall also provide evidence and certify that:

- (1) He is regularly employed in a job requiring him to drive a commercial motor vehicle; and
- (2) He has previously taken and passed a driving test given by a state with a classified licensing and testing system, and that the test was behind the wheel in a representative vehicle for that applicant's license classification; or
- (3) He has operated, for at least two years immediately preceding application for a commercial driver's license, a vehicle representative of the commercial motor vehicle the applicant drives or expects to drive.

6.] A commercial driver's license may not be issued to a person while the person is disqualified from driving a commercial motor vehicle, when a disqualification is pending in any state or while the person's driver's license is suspended, revoked, or canceled in any state; nor may a commercial driver's license be issued unless the person first surrenders in a manner prescribed by the director any commercial driver's license issued by another state, which license shall be returned to the issuing state for cancellation.

**302.721. 1. There is hereby created in the state treasury the "Commercial Driver License Examination Fund". The fund shall be administered by the department of revenue. Such moneys collected pursuant to subdivisions (1) and (3) of subsection 2 of section 302.720, shall be appropriated to the commercial driver license examination fund after the deposit and distribution pursuant to subsection 2 of section 30(b) of article IV of the Missouri Constitution. Such moneys shall not be counted towards the spending limitations imposed pursuant to subsection 3 of section 226.200, RSMo. Any unexpended balance in the fund at the end of the fiscal year shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund.**

**2. There shall be created a "Third-Party Commercial Driver License Examination Program" within the department of revenue. The purpose of this program is to certify third-party commercial driver license examination programs and administer compliance requirements of third-party commercial driver license examination programs in the state of Missouri.**

**3. The director of revenue may annually expend revenues from the commercial driver license fund for administrative costs associated with initial certification and subsequent renewal certification requirements associated with third-party commercial driver license examination programs and determining compliance of all regulations which are required to be adhered to by third-party commercial driver license examination programs in the state of Missouri. Such annual expenditures shall also include any expenses incurred by the superintendent of the highway patrol for functions related to the testing, auditing, retesting, and compliance of commercial driver license third-party examination programs, and the administration of the state CDL testing**

program.

(1) The director of revenue shall promulgate rules and regulations necessary to administer the certification and compliance programs established pursuant to this section. Any rule promulgated regarding commercial driver license third-party examination certification or compliance shall be promulgated in coordination with the superintendent of the highway patrol.

(2) Any rule promulgated by the director of revenue and the superintendent of the highway patrol regarding compliance requirements for third-party commercial driver license examination programs shall require the superintendent to reexamine a minimum of ten percent of those drivers who have passed the CDL skills examination administered by a certified third-party commercial driver license examination program in the state of Missouri.

4. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Burton, **House Amendment No. 17** was adopted.

Representative Barry offered **House Amendment No. 18**.

Speaker Kreider resumed the Chair.

*House Amendment No. 18*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting at the appropriate location the following:

**"67.1800. As used in sections 67.1800 to 67.1822, the following terms mean:**

(1) "Airport authority", an entity established by city ordinance regarding governance of the airport with representatives appointed by the chief executives of the city, county, and other approximate counties within the region;

(2) "Airport", Lambert-St. Louis International Airport and any other airport located within the district and designated by a chief executive;

(3) "Airport taxicab", a taxicab which picks up passengers for hire at the airport, transports them to places they designate by no regular specific route, and the charge is made on the basis of distance traveled as indicated by the taximeter;

(4) "Chief executive", the mayor of the city and the county executive of the county;

(5) "City", a city not within a county;

(6) "Commission", the regional taxicab commission created in section 67.1804;

(7) "County", a county with a charter form of government and with more than one million inhabitants;

(8) "District", the geographical area encompassed by the regional taxicab commission;

(9) "Driver", an individual operator of a motor vehicle and may be an employee or independent contractor;

(10) "Hotel and restaurant industry", the group of enterprises actively engaged in the business of operating lodging and dining facilities for transient guests;

(11) "Municipality", a city, town, or village which has been incorporated in accordance with the laws of the state of Missouri;

(12) "On-call/reserve taxicab", any motor vehicle or nonmotorized carriage engaged in the business of carrying persons for hire on the streets of the district, whether the same is hailed on the streets by a passenger or is operated from a street stand, from a garage on a regular route, or between fixed termini on a schedule, and where no regular or specific route is traveled, passengers are taken to and from such places as they designate, and the charge is made on the basis of distance traveled as indicated by a taximeter;

(13) "Premium sedan", any motor vehicle engaged in the business of carrying persons for hire on the

streets of the district which seats a total of five or less passengers in addition to a driver and which carries in each vehicle a manifest or trip ticket containing the name and pickup address of the passenger or passengers who have arranged for the use of the vehicle, and the charge is a prearranged fixed contract price quoted for transportation between termini selected by the passenger;

(14) "Taxicab", airport taxicabs, on-call/reserve taxicabs and premium sedans referred to collectively as taxicabs;

(15) "Taxicab company", the use of one or more taxicabs operated as a business carrying persons for hire;

(16) "Taximeter", a meter instrument or device attached to an on-call taxicab or airport taxicab which measures mechanically or electronically the distance driven and the waiting time upon which the fare is based.

67.1802. There is hereby established a "Regional Taxicab District", with boundaries which shall encompass any city not within a county and any county with a charter form of government and with more than one million inhabitants, including all incorporated municipalities located within such county.

67.1804. For the regional taxicab district, there is hereby established a "Regional Taxicab Commission", which shall be a body politic and corporate vested with all the powers expressly granted to it herein and created for the public purposes of recognizing taxicab service as a public transportation system, improving the quality of the system, and exercising primary authority over the provision of licensing, control and regulations of taxicab services within the district.

67.1806. 1. The regional taxicab commission shall consist of a chairperson plus eight members, four of whom shall be appointed by the chief executive of the city with approval of the board of aldermen, and four of whom shall be appointed by the chief executive of the county with approval of the governing body of the county. Of the eight members first appointed, one city appointee and one county appointee shall be appointed to a four-year term, two city appointees and two county appointees shall be appointed to a three-year term, and one city appointee and one county appointee shall be appointed to a one-year term. Members appointed after the expiration of these initial terms shall serve a four-year term. The chief executive officer of the city and the chief executive officer of the county shall alternately appoint a chairperson who shall serve a term of three years. The respective chief executive who appoints the members of the commission shall appoint members to fill unexpired terms resulting from any vacancy of a person appointed by that chief executive. All members and the chairperson must reside within the district while serving as a member. All members shall serve without compensation. Nothing shall prohibit a representative of the taxicab industry from being chairperson.

2. In making the eight appointments set forth in subsection 1 of this section, the chief executive officer of the city and the chief executive officer of the county shall collectively select four representatives of the taxicab industry. Such four representatives of the taxicab industry shall include at least one from each of the following:

(1) An owner or designated assignee of a taxicab company which holds at least one but no more than one hundred taxicab licenses;

(2) An owner or designated assignee of a taxicab company which holds at least one hundred one taxicab licenses or more;

(3) A taxicab driver, excluding any employee or independent contractor of a company currently represented on the commission.

The remaining five commission members shall be designated "at large" and shall not be a representative of the taxicab industry or be the spouse of any such person nor be an individual who has a direct material or financial interest in such industry. If any representative of the taxicab industry resigns or is otherwise unable to serve out the term for which such representative was appointed, a similarly situated representative of the taxicab industry shall be appointed to complete the specified term.

67.1808. The regional taxicab commission is empowered to:

(1) Develop and implement plans, policies, and programs to improve the quality of taxicab service and encourage minority participation within the district;

(2) Cooperate and collaborate with the hotel and restaurant industry to:

(a) Restrict the activities of those doormen employed by hotels and restaurants who accept payment from taxicab drivers or taxicab companies in exchange for the doormen's assistance in obtaining passengers for such taxicab drivers and companies; and

(b) Obtain the adherence of hotel shuttle vehicles to the requirement that they operate solely on scheduled trips between fixed termini and shall have authority to create guidelines for hotel and commercial shuttles;

(3) Cooperate and collaborate with other governmental entities, including the government of the United States, this state, and political subdivisions of this and other states;

(4) Cooperate and collaborate with governmental entities whose boundaries adjoin those of the district to assure that any taxicab or taxicab company neither licensed by the commission nor officed within its boundaries shall nonetheless be subject to those aspects of the taxicab code applicable to taxicabs operating within the district's boundaries;

(5) Contract with any public or private agency, individual, partnership, association, corporation or other entity, consistent with law, for the provision of services necessary to improve the quality of taxicab service within the district;

(6) Accept grants and donations from public or private entities for the purpose of improving the quality of taxicab service within the district;

(7) Execute contracts, sue, and be sued;

(8) Adopt a taxicab code to license and regulate taxicab companies and individual taxicabs within the district consistent with existing ordinances, and to provide for the enforcement of such code for the purpose of improving the quality of taxicab service within the district;

(9) Collect reasonable fees in an amount sufficient to fund the commission's licensing, regulatory, inspection, and enforcement functions; except that, for the first year after the regional taxicab commission's taxicab code becomes effective, any increase in fees shall not exceed twenty percent of the total fees collected and for subsequent years, the fees may be adjusted annually based on the rate of inflation according to the Consumer Price Index; and

(10) Establish accounts with appropriate banking institutions, borrow money, buy, sell, or lease property for the necessary functions of the commission.

67.1810. 1. To implement internally the powers which it has been granted, the commission shall:

(1) Elect its own vice chair, secretary, and such other officers as it deems necessary, make such rules as are necessary and consistent with the commission's powers;

(2) Provide for the expenditure of funds necessary for the proper administration of the commission's assigned duties;

(3) Convene monthly meetings of the entire commission or more often if deemed necessary by the commission members;

(4) Make decisions by affirmative vote of the majority of the commission; provided that each of the commissioners, including the chairperson, shall be entitled to one vote on each matter presented for vote and provided further that at least two city appointees and two county appointees, excluding the chairperson, must be included in each majority vote of the commission.

2. The commission shall not exceed or expend moneys in excess of any fees collected and any moneys provided to the commission pursuant to section 67.1820.

67.1812. Following the appointment of the commissioners, the regional taxicab commission shall meet for the purpose of establishing and adopting a district-wide taxicab code. In promulgating the taxicab code, the commission shall seek, to the extent reasonably practical, to preserve within the code provisions similar to those contained in chapter 8.98 of the city's municipal ordinance and chapter 806 of the county ordinances, both relating to taxicab issues such as licensing, regulation, inspection, and enforcement while avoiding unnecessary overlaps or inconsistencies between the ordinances. The commission shall present a draft of its district-wide taxicab code at public hearings, one of which will be held in the city and another in the county, following prior public notice of same. Notice of the public hearing shall be given by publication at least twice, the first publication to be not more than thirty days and the second publication to be not more than ten days prior to each hearing in a newspaper of general circulation in the city and county. The commission shall adopt its taxicab code no later than one hundred eighty days after the appointment of the initial commission members. The commission shall have the power to amend the taxicab code from time to time following the initial adoption without the requirement of public notice or hearings.

67.1814. The commission shall further seek the input of the city, county, and airport authority generally regarding the taxicab code and, in particularly with reference to airport taxicabs, shall seek to ensure:

(1) Continuous, smooth airport service during any transition period from the current city and county operation to the new regional taxicab commission;

(2) The need of the airport authority to provide services at the airport's passenger terminals; and

(3) Airport authority involvement as to the servicing of the airport by airport taxicabs.



The commission shall not regulate the airport or airport taxicabs as to cab parking, circulation, cab stands, or passenger loading at the airport, or the payment by airport taxicabs for use of the airport or its facilities.

67.1816. The city and county's ordinances relating to taxicabs shall remain in full force and effect and be enforced as such by the city and county until one hundred twenty days after the regional taxicab commission adopts its taxicab code, at which time such city and county ordinances shall be deemed to be rescinded as well as ordinances adopted by municipalities within the county. Upon the effective date of the taxicab code:

(1) All licensing, regulations, inspections, inspections of taxicabs, and enforcement of the taxicab code shall rest exclusively with the regional taxicab commission;

(2) All taxicabs subject to the taxicab code shall be required to comply fully with the taxicab code, notwithstanding any previously issued licenses or certificates of convenience;

(3) All permits valid and effective as of August 28, 2002, shall remain valid and effective until the date of expiration or renewal of such permit; and

(4) All available taxicab licensing, inspection, and related fees previously collected and remaining unspent by other jurisdictions shall be immediately paid over the regional taxicab commission for its future use in administering the taxicab code.

The provisions of this section notwithstanding, existing municipal regulations relating to taxicab curb locations and curb fees as well as local business licenses which do not seek to regulate taxicab use shall not be preempted by the taxicab code except by agreement between the commission and applicable municipality.

67.1818. The commission shall establish as part of the taxicab code its own internal, administrative procedure for decisions involving the granting, denying, suspending, or revoking of licenses. The commission shall study and take into account rate and fee structures as well as the number of existing taxicab licenses within the district in considering new applications for such licenses. The internal procedures set forth in the taxicab code shall allow appeals from license-related decisions to be conducted by independent hearing officers.

67.1820. The regional taxicab commission shall initially establish, subject to public hearings thereon, an annual fee-generated budget required for the effective implementation and enforcement of the taxicab code, taking into account staffing requirements and related expenses as well as all revenue sources, including collection of fees previously paid to and unspent by other enforcing jurisdictions and future fees projected to be collected by the commission. Recognizing the elimination of duties and costs associated with the regulatory and enforcement functions of taxicab administration previously borne by the city and county and being assumed by the commission, the city and county shall have the authority to appropriate additional budgetary funding for the commission's needs.

67.1822. 1. Before the second Monday in April of each year, the regional taxicab commission shall make an annual report to the chief executive officers and to the governing bodies of the city and county stating the conditions of the commission as of the first day of January of that year, and the sums of money received and distributed by it during the preceding calendar year.

2. Before the close of the regional taxicab commission's first fiscal year and at the close of each fiscal year thereafter, the chief executives of the city and the county shall appoint one or more certified public accountants who shall annually examine the books, papers, documents, accounts, and vouchers of the commission, and who shall report thereon to the chief executives of the city and the county and to the regional taxicab commission. The commission shall produce and submit for examination all books, papers, documents, accounts, and vouchers, and shall in every way assist such certified public accountants in the performance of their duties pursuant to this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Amendment No. 18** was adopted by the following vote:

AYES: 106

Barnett	Barry 100	Bartelsmeyer	Bearden	Behnen
Berkstresser	Black	Bland	Bonner	Boucher
Bray 84	Britt	Burton	Byrd	Campbell
Champion	Cierpiot	Cooper	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Fraser
Froelker	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 36	King	Koller
Liese	Lograsso	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	McKenna	Miller	Monaco
Moore	Myers	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Rizzo
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shoemyer	St. Onge	Townley
Treadway	Van Zandt	Villa	Vogel	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 036

Ballard	Barnitz	Bartle	Berkowitz	Boatright
Bowman	Brooks	Burcham	Clayton	Copenhaver
Curls	Foley	Gambaro	Gaskill	Hampton
Hohulin	Kelly 144	Kelly 27	Lawson	Legan
Mays 50	Merideth	O'Toole	Purgason	Richardson
Roark	Shelton	Shoemaker	Skaggs	Smith
Surface	Thompson	Troupe	Walker	Williams
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 020

Abel	Baker	Boykins	Carnahan	Franklin
Green 73	Harlan	Hickey	Linton	Long
Lowe	Marsh	Murphy	Naeger	Nordwald
O'Connor	Ridgeway	Scheve	Shields	Wagner

VACANCIES: 001

Representative Hosmer offered **House Amendment No. 19.**

*House Amendment No. 19*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting after all of said line the following:

"[304.157. 1. If a person abandons property, as defined in section 304.001, on any real property owned by another without the consent of the owner or person in possession of the property, at the request of the person in possession of the real property, any member of the state highway patrol, state water patrol, sheriff, or other law enforcement officer within his jurisdiction may authorize a towing company to remove such abandoned property from the property in the following circumstances:

(1) The abandoned property is left unattended for more than forty-eight hours; or  
 (2) In the judgment of a law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.

2. The owner of real property or lessee or property or security manager in lawful possession of the real property may authorize a towing company to remove abandoned property or property parked in a restricted or assigned area without authorization by a law enforcement officer only when the owner, lessee or property or security manager of the real property is present. A property or security manager must be a full-time employee of a business entity. An authorization to tow under this subsection may be made only under any of the following circumstances:

(1) There is displayed, in plain view at all entrances to the property, a sign not less than seventeen by twenty-two inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that unauthorized abandoned property or property improperly parked in a restricted or assigned area will be removed at the owner's expense, disclosing the maximum fee for all charges related to towing and storage, and containing the telephone number of the local traffic law enforcement agency where information can be obtained; or a twenty-four-hour staffed emergency information telephone number, other than the number of a towing company, by which the owner of the abandoned property or improperly parked property may call to receive information regarding the location of such owner's property; or

(2) The abandoned property is on private property and lacks an engine, transmission, wheels, tires, doors, windshield or any other major part or equipment necessary to operate safely on the highways, the owner or lessee of the private property has notified the city police or county sheriff, as appropriate, and ninety-six hours have elapsed since that notification; or

(3) The abandoned property is left unattended on private property, and the owner, lessee or agent of the real property in lawful possession of real property has notified the appropriate law enforcement agency, and ten days have elapsed since that notification.

3. Pursuant to this section, any owner or lessee in lawful possession of real property that requests a towing company to tow abandoned property without authorization from a law enforcement officer shall within one hour of the tow file an abandoned property report with the appropriate law enforcement agency where the property is located. The report shall contain the following:

(1) The year, model, make and abandoned property identification number of the property and the owner and any lienholders, if known;  
 (2) A description of any damage to the abandoned property noted by owner, lessee or property or security manager in possession of the real property;  
 (3) The license plate or registration number and the state of issuance, if available;  
 (4) The physical location of the property and the reason for requesting the property to be towed;  
 (5) The date the report is completed;  
 (6) The signature and printed name, address and phone number of the owner, lessee or property or security manager in possession of the real property;  
 (7) The towing company's name and address;  
 (8) The signature of the towing operator;  
 (9) The name of the law enforcement agency notified of the abandoned property.

The department of revenue may design and make available to police agencies throughout the state a uniform "Authorization to Tow" form. The form shall contain lines for time, date, location, descriptive information of the vehicle, reason for towing, the tow operator and company and signature of authorizing officer. The cost of the forms shall be determined by the department of revenue. The completed form shall be issued by the authorizing officer to the tow operator for that company's records as proof of authorization to tow a particular vehicle.

4. The law enforcement agency receiving such abandoned property report must record the date the abandoned property report is filed with such agency and within five days of such filing make an inquiry into the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen. The law enforcement agency shall enter the information pertaining to the towed property

into the statewide enforcement computer system. The department of revenue may design and sell to towing companies informational brochures outlining owner or lessee of real property obligations pursuant to this section.

5. Neither the law enforcement officer nor anyone having custody of abandoned property under his direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section other than damages occasioned by negligence or by willful or wanton acts or omissions.

6. Any towing company which tows abandoned property without authorization from a law enforcement officer pursuant to subdivision (1) of subsection 2 of this section shall within one hour of the tow report the event and the circumstances to the local law enforcement agency where the abandoned property report was filed.

7. The law enforcement agency receiving notification that abandoned property has been towed by a towing company shall record the date the property was towed and shall forward a copy of the abandoned property report to the director of revenue.

8. If any owner or lessee of real property authorizes the removal of abandoned property pursuant to subsection 2 of this section and such property is so removed and no sign is displayed prior to such removal as required pursuant to subsection 2 of this section, then the owner or lessee shall be deemed guilty of a class C misdemeanor.]

304.157. 1. If a person abandons property, as defined in section 304.001, on any real property owned by another without the consent of the owner or person in possession of the property, at the request of the person in possession of the real property, any member of the state highway patrol, state water patrol, sheriff, or other law enforcement officer within his jurisdiction may authorize a towing company to remove such abandoned property from the property in the following circumstances:

- (1) The abandoned property is left unattended for more than forty-eight hours; or
- (2) In the judgment of a law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.

2. A local government agency may also provide for the towing of motor vehicles from real property under the authority of any local ordinance providing for the towing of vehicles which are derelict, junk, scrapped, disassembled or otherwise harmful to the public health under the terms of the ordinance. Any local government agency authorizing a tow under this subsection shall report the tow to the local law enforcement agency within two hours with a crime inquiry and inspection report pursuant to section 304.155.

3. Neither the law enforcement officer, local government agency nor anyone having custody of abandoned property under his or her direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section other than damages occasioned by negligence or by willful or wanton acts or omissions.

4. The owner of real property or lessee in lawful possession of the real property or the property or security manager of the real property may authorize a towing company to remove abandoned property or property parked in a restricted or assigned area without authorization by a law enforcement officer only when the owner, lessee or property or security manager of the real property is present. A property or security manager must be a full-time employee of a business entity. An authorization to tow pursuant to this subsection may be made only under any of the following circumstances:

(1) There is displayed, in plain view at all entrances to the property, a sign not less than seventeen by twenty-two inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that unauthorized abandoned property or property parked in a restricted or assigned area will be removed at the owner's expense, disclosing the maximum fee for all charges related to towing and storage, and containing the telephone number of the local traffic law enforcement agency where information can be obtained or a twenty-four-hour staffed emergency information telephone number by which the owner of the abandoned property or property parked in a restricted or assigned area may call to receive information regarding the location of such owner's property;

(2) The abandoned property is left unattended on [owner-occupied] residential property with **two to** four residential units [or less], and the owner, lessee or agent of the real property in lawful possession has notified the appropriate law enforcement agency, and ten hours have elapsed since that notification; or

(3) The abandoned property is left unattended on private property, and the owner, lessee or agent of the real property in lawful possession of real property has notified the appropriate law enforcement agency, and ninety-six hours have elapsed since that notification[.]; **or**

**(4) The abandoned property is left unattended on owner-occupied single unit residential property, and the owner or agent of the owner has notified the appropriate law enforcement agency.**

5. Pursuant to this section, any owner, **agent of the owner of real property**, or lessee in lawful possession of real property that requests a towing company to tow abandoned property without authorization from a law enforcement officer shall at that time complete an abandoned property report which shall be considered a legal declaration subject

to criminal penalty pursuant to section 575.060, RSMo. The report shall be in the form designed, printed and distributed by the director of revenue **to all law enforcement agencies and towing companies** and shall contain the following:

(1) The year, model, make and abandoned property identification number of the property and the owner and any lienholders, if known;

(2) A description of any damage to the abandoned property noted by owner, lessee or property or security manager in possession of the real property;

(3) The license plate or registration number and the state of issuance, if available;

(4) The physical location of the property and the reason for requesting the property to be towed;

(5) The date the report is completed;

(6) The printed name, address and phone number of the owner, lessee or property or security manager in possession of the real property;

(7) The towing company's name and address;

(8) The signature of the towing operator;

(9) The signature of the owner, lessee or property or security manager attesting to the facts that the property has been abandoned for the time required by this section **if any** and that all statements on the report are true and correct to the best of the person's knowledge and belief and that the person is subject to the penalties for making false statements;

(10) Space for the name of the law enforcement agency notified of the towing of the abandoned property and for the signature of the law enforcement official receiving the report; and

(11) Any additional information the director of revenue deems appropriate.

6. Any towing company which tows abandoned property without authorization from a law enforcement officer pursuant to subsection 4 of this section shall **provide an abandoned property report for the owner, agent of the owner of real property, or lessee in lawful possession of real property to fill out and after it is filled out shall** deliver a copy of the abandoned property report to the local law enforcement agency having jurisdiction over the location from which the abandoned property was towed. The copy may be produced and sent by facsimile machine or other device which produces a near exact likeness of the print and signatures required, but only if the law enforcement agency receiving the report has the technological capability of receiving such copy and has registered the towing company for such purpose. The registration requirements shall not apply to law enforcement agencies located in counties of the third or fourth classification. The report shall be delivered within two hours if the tow was made from a signed location pursuant to subdivision (1) of subsection 4 of this section, otherwise the report shall be delivered within twenty-four hours.

7. The law enforcement agency receiving such abandoned property report must record the date on which the abandoned property report is filed with such agency and shall promptly make an inquiry into the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen. The law enforcement agency shall enter the information pertaining to the towed property into the statewide law enforcement computer system, and an officer shall sign the abandoned property report and provide the towing company with a signed copy. The department of revenue may design and sell to towing companies informational brochures outlining owner or lessee of real property obligations pursuant to this section.

8. The law enforcement agency receiving notification that abandoned property has been towed by a towing company shall search the records of the department of revenue and provide the towing company with the latest owner and lienholder information on the abandoned property. If the abandoned property is not claimed within ten working days, the towing company shall send a copy of the abandoned property report signed by a law enforcement officer to the department of revenue.

9. If any owner or lessee of real property knowingly authorizes the removal of abandoned property in violation of this section, then the owner or lessee shall be deemed guilty of a class C misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hosmer, **House Amendment No. 19** was adopted.

Representative Ostmann offered **House Amendment No. 20**.

## House Amendment No. 20

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 21, Section 226.200, Lines 10 to 24, Page 22, Section 226.200, Lines 1 to 24, Page 23, Section 226.200, Lines 1 to 21, by deleting all of said section and inserting in lieu thereof the following:

"226.200. 1. There is hereby created a "State Highways and Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:

(1) Money arising from the sale of bonds;  
 (2) Money received from the United States government; or  
 (3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds.

2. Subject to the limitations of subsection 3 of this section, from said fund shall be paid or credited the cost:

(1) [Of collection of all said state revenue derived from highway users as an incident to their use or right to use the highways of the state;

(2)] Of maintaining the state highways and transportation commission;

[(3)] (2) Of maintaining the state transportation department;

[(4)] (3) Of any workers' compensation for state transportation department employees;

[(5)] (4) Of the share of the transportation department in any retirement program for state employees, only as may be provided by law; and

[(6)] (5) Of administering and enforcing any state motor vehicle laws or traffic regulations.

3. [For all future fiscal years,] The total amount of appropriations from the state highways and transportation department fund for all state offices and departments, **except for the Missouri highway patrol**, shall [not exceed the total amount appropriated for such offices and departments from said fund for fiscal year 2001] **be equal to four-fifths of the total amount appropriated for such offices and departments from such fund for fiscal year 2001 beginning the first fiscal year following voter approval of this act, and shall be equal to three-fifths of the total amount appropriated for such offices and departments from such fund for fiscal year 2001 beginning the second fiscal year following voter approval of this act, and shall be equal to two-fifths of the total amount appropriated for such offices and departments from such fund for fiscal year 2001 beginning the third fiscal year following voter approval of this act, and shall be equal to one-fifth of the total amount appropriated for such offices and departments from each fund for fiscal year 2001 beginning the fourth fiscal year following voter approval of this act, and shall be zero beginning the fifth fiscal year following voter approval of this act and for all fiscal years thereafter, and no revenues shall be appropriated from the state highways and transportation department fund for all fiscal years thereafter to any state office or department, except for the Missouri highway patrol, unless such appropriations are approved by a two-thirds vote of each house of the general assembly.**

4. The provisions of subsection 3 of this section shall not apply to appropriations from the state highways and transportation department fund to the highways and transportation commission and the state transportation department or to appropriations to the office of administration for department of transportation employee fringe benefits and OASDHI payments, or to appropriations to the department of revenue for motor vehicle fuel tax refunds under chapter 142, RSMo, or to appropriations to the department of revenue for refunds or overpayments or erroneous payments from the state highways and transportation department fund.

5. All interest earned upon the state highways and transportation department fund shall be deposited in and to the credit of such fund.

6. Any balance remaining in said fund after payment of said costs shall be transferred to the state road fund.

7. Notwithstanding the provisions of subsection 2 of this section to the contrary, any funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo, after April 1, 1992, shall not be used for administrative purposes or administrative expenses of the transportation department."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hollingsworth offered **House Substitute Amendment No. 1 for House Amendment No. 20.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 20*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 21, Section 226.200, Lines 10 to 24, Page 22, Section 226.200, Lines 1 to 24, Page 23, Section 226.200, Lines 1 to 21, by deleting all of said section and inserting in lieu thereof the following:

“226.200. 1. There is hereby created a "State Highways and Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:

(1) Money arising from the sale of bonds;  
(2) Money received from the United States government; or  
(3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds.

2. Subject to the limitations of subsection 3 of this section, from said fund shall be paid or credited the cost:

(1) Of collection of all said state revenue derived from highway users as an incident to their use or right to use the highways of the state;

(2) Of maintaining the state highways and transportation commission;

(3) Of maintaining the state transportation department;

(4) Of any workers' compensation for state transportation department employees;

(5) Of the share of the transportation department in any retirement program for state employees, only as may be provided by law; and

(6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

3. [For all future fiscal years,] **Beginning in Fiscal Year 2004**, the total amount of appropriations from the state highways and transportation department fund for all state offices and departments **except for the highway patrol, the department of revenue for actual costs of collecting taxes and fees that are deposited in the state highways and transportation department fund, state road fund and motor fuel tax fund; and actual costs incurred by the office of administration for or on behalf of the highway patrol and the department of revenue for actual collection costs as described in this subsection**; shall [not exceed the total amount appropriated for such offices and departments from said fund for fiscal year 2001] **be reduced by twenty percent from the total appropriated for such agencies from such fund for fiscal year 2001. Each subsequent fiscal year, the amount appropriated from the state highways and transportation department fund for such agencies shall be reduced by an additional twenty percent of the amount appropriated from said fund for fiscal year 2001 until the total appropriated to such agencies from the state highways and transportation department fund reaches zero in fiscal year 2008. Appropriations so reduced from such agencies shall be replaced by general revenue subject to appropriation.**

4. The provisions of subsection 3 of this section shall not apply to appropriations from the state highways and transportation department fund to the highways and transportation commission and the state transportation department or to appropriations to the office of administration for department of transportation employee fringe benefits and OASDHI payments, or to appropriations to the department of revenue for motor vehicle fuel tax refunds under chapter 142, RSMo, or to appropriations to the department of revenue for refunds or overpayments or erroneous payments from the state highways and transportation department fund.

5. All interest earned upon the state highways and transportation department fund shall be deposited in and to

the credit of such fund.

6. Any balance remaining in said fund after payment of said costs shall be transferred to the state road fund.

7. Notwithstanding the provisions of subsection 2 of this section to the contrary, any funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo, after April 1, 1992, shall not be used for administrative purposes or administrative expenses of the transportation department.”.

**On motion of Representative Hollingsworth, House Substitute Amendment No. 1 for House Amendment No. 20 was adopted by the following vote:**

AYES: 078

Abel	Baker	Barry 100	Berkowitz	Bland
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Koller
Liese	Lowe	Mays 50	McKenna	Merideth
Monaco	O'Connor	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 076

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Bonner
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
Gratz	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Holt
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	May 149	Mayer	Miller	Moore
Myers	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Whorton
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnitz	Lawson	Luetkenhaus	Marsh	Murphy
Naeger	O'Toole	Shelton		

VACANCIES: 001



Representative Hanaway requested a verification of the roll call on the motion to adopt **House Substitute Amendment No. 1 for House Amendment No. 20.**

Representative Dempsey offered **House Amendment No. 21.**

*House Amendment No. 21*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 17, Section 226.134, Line 19, by adding after the words "transportation department," the following:

**"The sale of such bonds, pursuant to this section and section 226.133, shall be negotiated, after a competitive selection process, with an underwriting group managed by firms headquartered within the State of Missouri, as long as such firms are not deemed to be unqualified or price uncompetitive. The underwriting group so managed shall have as its first priority the sale of the bonds to Missouri individual investors as long as such sale is not inconsistent with deriving the lowest possible financing costs."**

On motion of Representative Dempsey, **House Amendment No. 21** was adopted.

Representative Merideth offered **House Amendment No. 22.**

*House Amendment No. 22*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 74, Section 305.230, Line 8, by inserting after said line the following:

**"305.700. 1. Sections 305.700 to 305.714 may be cited as the "Missouri Airport Protection Act".**

**2. As used in sections 305.700 to 305.714, the following terms mean:**

**(1) "Airport", an area of land or water that is used or intended to be used for the landing and takeoff of aircraft, including buildings, equipment, rights-of-way, property and appurtenant areas, that is open to the public;**

**(2) "Aviation hazard", any structure, object, or natural growth, or use of land which obstructs the air space required for the flight of aircraft landing or taking off at any airport or is otherwise hazardous to such landing or taking off;**

**(3) "Commission", the Missouri highways and transportation commission;**

**(4) "FAA", the Federal Aviation Administration or its successor agency;**

**(5) "Obstruction", any structure natural or man made, penetrating the navigable airspace as defined in the standards for determining obstructions and navigable airspace in section 305.704;**

**(6) "Permit", an airport structure permit issued by the commission pursuant to sections 305.700 to 305.714;**

**(7) "Person", an individual, firm, partnership, corporation, association or political subdivision. Person includes a trustee, receiver, assignee or other similar representative of a person;**

**(8) "Public airport", an airport open to the public and eligible for public funding;**

**(9) "Structure", an object constructed or installed including, but not limited to, a building, tower, antenna, smokestack or overhead transmission line.**

**305.702. 1. The general assembly finds an aviation hazard endangers the lives and property of users of an airport and of occupants of land in its vicinity, and in effect reduces the size of the area available for landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of an airport and the public investment therein. Certain structures are hazardous to aircraft in flight because of their height or location, especially during periods of reduced visibility and darkness. Structures determined to be hazards are not in the interest of public health, public safety or the general welfare of the people of Missouri.**

2. The commission shall establish an airspace review and permit process to regulate structures that may be erected in proximity to public airports of the state and to ensure that they do not interfere with air navigation.

305.704. 1. A permit shall be required before erecting, adding to or replacing any structure:

(1) Within twelve thousand feet of the midpoint of the primary runway and one hundred feet or higher above the elevation of the public airport;

(2) Between twelve thousand one feet and seventeen thousand feet of the midpoint of the primary runway and one hundred fifty feet or higher above the elevation of the public airport.

2. The permit application shall include as a minimum the location of the airport, including latitude and longitude, ground elevation and maximum height of the proposed structure and the distance to, direction from, and elevation of the nearest airport runway. The application will also include a 7.5 minute quadrangle topographical map showing the location of the proposed structure and copies of any application for or determinations from a FAA Form 7460-1, or other applicable federal airspace review form, if required.

3. The application shall be presented by mail or in person to the aviation section of the commission at least thirty days prior to the date of the proposed construction. It is not necessary that ownership of, option for or other possessor right to a specific location site be held by the applicant before the application for a permit is filed with the commission. The commission shall act upon such applications within a reasonable time.

4. No application for a permit shall be required for the emergency repair or replacement of public utility, rural electric cooperative or federally licensed radio or television structures, other than buildings, to ensure continuity of proper customer service, when the height of such structures is not increased by such emergency repair or replacement.

5. Nothing in sections 305.700 to 305.714 shall be construed as prohibiting the construction or maintenance of any structure or growth up to one hundred feet in height above the surface of the land.

6. This section shall not apply to, nor is an application for a permit required, when local aviation hazard zoning or regulation is equal to or more restrictive than this section. If such zoning or regulation is more restrictive, local zoning or regulation supersedes sections 305.700 to 305.714. Nothing contained in this section shall prevent any political subdivision from adopting more restrictive requirements for structures within its jurisdiction.

305.706. 1. The commission shall investigate all permit applications that meet the criteria contained in section 305.704 and as necessary to process the application properly pursuant to sections 305.700 to 305.714. The investigation shall consider the safety and welfare of persons and property in the air and on the ground.

2. The commission may approve an application for a temporary structure that will be in existence for such a short duration that it will no longer occupy the same airspace at the time a formal application can be considered by the commission. Such approval may be granted only if it is evident that the proposed temporary structure will not adversely affect the safety of air navigation.

3. In cases where the FAA has determined that an aeronautical study is needed, the commission will withhold permit approval until the FAA has completed its study. Sufficient grounds for denial of a permit include objection or determination of a hazard by the FAA, violation of a federal aviation regulation, raising of established approach or vectoring minimums. Considering all information supplied by the applicant and other pertinent information available, the commission shall make a determination to approve or deny the permit within a reasonable time.

305.708. If the application is approved by the commission, a permit shall be issued to the applicant. If, upon investigation, the commission determines that a permit should be denied or that the height or location should be other than applied for, the commission shall notify the applicant in writing. The notification may be sent by first class mail to the applicant at the address specified in the application. The determination is final thirty days after notification of the determination is served, unless the applicant, within the thirty-day period, appeals the determination in writing to the commission and requests a hearing. Such hearing shall be conducted pursuant to section 305.712.

305.710. 1. A permit shall specify any obstruction markings, lighting or other visual or aural identification required to be installed on or in the vicinity of the structure, if any. The identification characteristics shall be in accordance with federal laws and regulations. All obstruction lights required pursuant to this section shall be maintained in an operable condition.

2. If ordered by the commission, the owner of a nonconforming structure that is permanently out of service or partially dismantled, destroyed, deteriorated or decayed shall demolish or remove that structure at the owner's expense.

**305.712. 1.** An appeal hearing pursuant to this section shall be conducted within forty-five days of the appeal request and shall be open to the public. Any person interested may appear and be heard either in person or by counsel and may present evidence and testimony. The review board for such appeal shall be made up of two representatives from the commission, two members from the state aviation advisory committee, and one member from the closest airport as affected by the site where the structure is proposed. If the proposed structure is associated with a telecommunications tower or antenna, two representatives from the Missouri Telecommunications Industry Association shall also be on the review board. The findings of the review board on any appeal of an application shall be considered to be the final administrative action.

**2.** Within thirty days after the issuance of an order by the commission, a person aggrieved by the order may appeal to the review board in subsection 1 of this section, or have the action of the commission reviewed by the circuit court in the manner provided for the review of orders of other administrative bodies of this state. A decision of the review board pursuant to subsection 1 of this section may also be appealed pursuant to this subsection.

**305.714. 1.** The commission shall adopt and promulgate, and may from time to time amend or rescind, reasonable rules and fees for the administration of sections 305.700 to 305.714. The commission shall prescribe and furnish forms necessary for the administration of sections 305.700 to 305.714.

**2.** The commission shall determine whether violations of sections 305.700 to 305.714, or any rules promulgated pursuant to sections 305.700 to 305.714 have occurred or are threatened. A notification of a violation or threat of violation shall be sent by certified mail, to the person who owns or controls the structure or land in violation thereof. The notice shall state the location, type of structure and the reasons the structure is or would be in violation of such sections or such regulations. The person shall be requested to correct the violation within thirty days of the notice or show cause to the commission why compliance should not be enforced.

**3.** The person to whom the notice is directed pursuant to this section may show cause why enforcement should be withheld by filing a written request for a hearing. Such hearing shall be conducted pursuant to section 305.712. Such request shall state, if applicable, facts sufficient to show:

(1) The structure is not an obstruction as defined by section 305.700 to 305.714 or any rules promulgated pursuant to sections 305.700 to 305.714;

(2) The structure is in the airspace of the airport, but it is not an obstruction to the safety of air navigation; and

(3) Any other facts the petitioner deems relevant that would relieve him or her from the terms of the order, including a request for an extension of time to remove the structure.

**4.** The commission may order action be instituted in the appropriate court of jurisdiction for the enforcement of applicable statutes, rules, regulations, and orders issued pursuant to sections 305.700 to 305.714 and shall investigate violations or threats of violation of sections 305.700 to 305.714 or rules promulgated pursuant to sections 305.700 to 305.714. Any person seeking judicial review of any such statute or rule shall be deemed to have exhausted all administrative review procedures.

**5.** In addition to any other remedy, the commission may institute in a court of competent jurisdiction an action to enjoin, restrain, correct or abate a violation of sections 305.700 to 305.714 or rules promulgated pursuant to sections 305.700 to 305.714.

**6.** Sections 305.700 to 305.714, or any rule promulgated pursuant to sections 305.700 to 305.714, shall not be construed to require the removal, lowering or other change or alteration of any structure not conforming to sections 305.700 to 305.714, or any rule promulgated pursuant to such sections, prior to August 28, 2001, or as otherwise interfere with the continuance of any nonconforming use. Sections 305.700 to 305.714, or any rule promulgated pursuant to such sections, shall not require any change in the construction, alteration or intended use of any structure, provided that such construction or alteration was begun prior to August 28, 2001, and is diligently prosecuted after August 28, 2001.

**7.** No rule or portion of a rule promulgated pursuant to sections 305.700 to 305.714 shall take effect unless such rule has been promulgated pursuant to chapter 536, RSMo.

**Section 1.** The Commission is prohibited from expending funds, which are presumed for or dedicated to highway use as described in Chapter 142, in the enforcement of sections 305.700 to 305.714.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Merideth, **House Amendment No. 22** was adopted.

Representative Black offered **House Amendment No. 23**.

*House Amendment No. 23*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting in the appropriate location the following section:

**"Section 1. No member of the state highways and transportation commission shall, during the member's term of service on the commission or within one year thereafter:**

- (1) Be employed by the state or any political subdivision of the state;**
- (2) Be employed as a lobbyist;**
- (3) Serve on any other governmental board or commission;**
- (4) Be an officer of any political party or political organization;**
- (5) Permit the person's name to be used, or make contributions, in support of or in opposition to any candidate or proposition; and**
- (6) Participate in any way in any election campaign; except that a member shall retain the right to register and vote in any election, to express the person's opinion privately on political subjects or candidates, to participate in the activities of a civic, community, social, labor, or professional organization, and to be a member of a political party."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Black moved that **House Amendment No. 23** be adopted.

Which motion was defeated.

Representative Burton offered **House Amendment No. 24**.

*House Amendment No. 24*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 56, Section 227.108, Line 5, by adding after said line all of the following:

**"233.298. 1. Whenever a petition, signed by a majority of the residents within a road district organized pursuant to sections 233.170 to 233.315, shall be filed with the county commission of any county of the first classification without a charter form of government and with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants in which such district is situated, setting forth the name of the district, the name and address of each signer of such petition and requesting the disincorporation of such district, the county commission shall have power, if in its opinion the public good will be thereby advanced, to disincorporate such road district. No such road district shall be disincorporated until notice is published in at least one newspaper of general circulation in the county where the district is situated for four weeks successively prior to the hearing of such petition.**

**2. Whenever a petition signed by at least fifty registered voters residing within the district is filed with the county clerk of the county in which the district is situated, setting forth the name of the district and requesting the disincorporation of such district, the county clerk shall certify for election the following question to be voted upon by the eligible voters of the district:**

Shall the..... incorporated road district organized pursuant to sections 233.170 to 233.315, RSMo, be dissolved?

☐ YES

☐ NO

If a majority of the persons voting on the question are in favor of the proposition, then the county commission shall disincorporate the road district. All assets and equipment of the road district shall revert to the county in which the district is situated and any taxes levied for such road district shall no longer be assessed.

3. The petition filed pursuant to subsection 2 of this section shall be submitted to the clerk of the county no later than eight weeks prior to the next countywide election at which the question will be voted upon.”.

On motion of Representative Burton, **House Amendment No. 24** was adopted.

Representative St. Onge offered **House Amendment No. 25**.

*House Amendment No. 25*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting in the appropriate location the following:

"436.300. Notwithstanding any other law to the contrary, all parties to any contract or agreement for private construction work that is between any owner and any contractor, or between any contractor and any subcontractor, or between any subcontractor and any sub-subcontractor, or any supplier at whatever tier for construction, reconstruction, maintenance, alteration, or repair for a private owner of any building, improvement, structure, private road, appurtenance, or appliance, including moving, demolition, or any excavating connected therewith, shall make payment in accordance with the terms of such contract or agreement, provided such terms are not inconsistent with the provisions of sections 436.300 to 436.336.

436.303. A contract or agreement may include a provision for the retainage of a portion of any payment due from the owner to the contractor, not to exceed ten percent of the amount of such payment due pursuant to the contract or agreement, to ensure the proper performance of the contract or agreement, provided that the contract may provide that if the contractor's performance is not in accordance with the terms of the contract or agreement, the owner may retain additional sums to protect the owner's interest in satisfactory performance of the contract or agreement. The amount or amounts so retained by the owner shall be referred to in sections 436.300 to 436.336 as "retainage", and shall be held by the owner in trust for the benefit of the contractor and contractor's subcontractors, sub-subcontractors, and suppliers at whatever tier who are not in default, in proportion to their respective interests. Such retainage shall be subject to the conditions and limitations listed in section 436.300 to 436.336.

436.306. 1. The contractor may tender to the owner acceptable substitute security as set forth in section 436.312 with a written request for release of retainage in the amount of the substitute security. The contractor shall thereupon either:

(1) Be entitled to receive cash payment of retainage pursuant to this section; or  
(2) Not be subject to the withholding of retainage, in either case, to the extent of the security tendered, provided that the contractor is not in default of its agreement with the owner.

2. If the tender described in subsection 1 of this section is made after retainage has been withheld, the owner shall, within five working days after receipt of the tender, pay to the contractor the withheld retainage to the extent of the substitute security. If the tender described in subsection 1 of this section is made before retainage has been withheld, the owner shall, to the extent of the substitute security, refrain from withholding any retainage from the future payments.

436.309. A subcontractor of the contractor may tender to the contractor acceptable substitute security as set forth in section 436.312 with a written request for release of retainage in the amount of the substitute security. The contractor shall tender the subcontractor's substitute security to the owner with a like request, pursuant to the provisions of section 436.306. Provided that the subcontractor is not in default of its agreement with the contractor, the contractor shall pay over to the subcontractor, within five working days after receipt,

any accumulated retainage paid by the owner to the contractor on account of substitute security tendered by the subcontractor, except that the contractor shall not be required to pay over retainage in excess of the amount properly attributable to work completed by the subcontractor at the time of payment. Provided that the subcontractor is not in default of its agreement with the contractor, the contractor shall refrain from withholding retainage from payments to the subcontractor to the extent the owner has refrained from withholding retainage from payments to the contractor on account of the subcontractor's substituted security. The subcontractor shall be entitled to receive, upon receipt by the contractor, all income received by the contractor from the owner on account of income producing securities deposited by the subcontractor as substitute security. Except as otherwise provided in this section, the contractor shall have no obligation to collect or pay to a subcontractor retainage on account of substitute security tendered by the subcontractor.

436.312. 1. The following shall constitute acceptable substitute security for purposes of sections 436.306 and 436.309:

(1) Certificates of deposit drawn and issued by a national banking association located in this state or by any banking corporation incorporated pursuant to the laws of this state; and mutually agreeable to the project owner and the contractor or subcontractor, in the amount of the retainage released. If the letter of credit is not renewed at least sixty days before the expiration of the letter of credit, the owner may draw upon the letter of credit regardless of the contractor's or subcontractor's performance for an amount equal to or no greater than the value of the amount of work remaining to be performed by the contractor or subcontractor.

(2) A retainage bond naming the owner as obligee issued by any surety company authorized to issue surety bonds in this state in the amount of the retainage released; or

(3) An irrevocable and unconditional letter of credit in favor of the owner, issued by a national banking association located in this state or by any banking corporation incorporated pursuant to the laws of this state, in the amount of the retainage released.

2. The contractor shall be entitled to receive, in all events, all interest and income earned on any securities deposited by the contractor in substitution for retainage.

436.315. A contractor shall not withhold from any subcontractor any retainage in excess of the retainage withheld from the contractor by the owner for the subcontractor's work, unless the subcontractor's performance is not in accordance with the terms of the subcontract, in which case, subject to the terms of the subcontract, the contractor may retain additional sums to ensure the subcontractor's satisfactory performance of the subcontract.

436.318. Upon the release of retainage by the owner to the contractor, other than for substituted security pursuant to sections 436.306 and 436.312, the contractor shall pay to each subcontractor the subcontractor's ratable share of the retainage released, provided that all conditions of the subcontract for release of retainage to the subcontractor have been satisfied.

436.321. If it is determined that a subcontractor's performance has been satisfactorily and substantially completed and the subcontractor can be released prior to substantial completion of the entire project without risk to the owner involving the subcontractor's work, the contractor shall request such adjustment in retainage, if any, from the owner as necessary to enable the contractor to pay the subcontractor in full or in proportion to the amount of work that has been satisfactorily and substantially completed on the project, and the owner shall as part of the next contractual payment cycle release the subcontractor's retainage to the contractor, who shall in turn as part of the next contractual payment cycle release such retainage as is due the subcontractor.

436.324. Within thirty days of the project reaching substantial completion, as defined in section 436.327, all retainage or substitute security shall be released by the owner to the contractor less an amount equal to one hundred fifty percent of the costs to complete any remaining items. Upon receipt of such retainage from the owner, the contractor shall within seven days release to each subcontractor that subcontractor's share of the retainage.

436.327. The project shall be deemed to have reached substantial completion upon the occurrence of the earlier of one of the following events:

- (1) The architect or engineer issues a certificate of substantial completion;
- (2) The applicable governmental agency issues a use or occupancy permit; or
- (3) The owner begins to use or could have begun to use the project for its intended purpose.

436.330. Subcontractors and sub-subcontractors of every tier shall comply with the provisions of sections 436.300 to 436.336 in their relations with their sub-subcontractors and suppliers and shall be bound by the same obligations to their sub-subcontractors and suppliers as contractors are to their subcontractors.

**436.333.** A contract or agreement formed after August 28, 2002, shall be unenforceable to the extent that its provisions are inconsistent with sections 436.300 to 436.336. If retainage is withheld in violation of sections 436.300 to 436.360, a court may, in addition to any other award for damages, award interest at the rate of up to one and one-half percent per month from the date of such wrongful or improper withholding of retainage. In any action brought to enforce sections 436.300 to 436.336, a court may award reasonable attorney's fees to the prevailing party. If the parties elect to resolve the dispute by arbitration pursuant to section 436.350, the arbitrator may award any remedy that a court is authorized to award.

**436.336.** Sections 436.300 to 436.336 shall apply to contracts and agreements entered into after August 28, 2002. Sections 436.300 to 436.336 shall apply to all private construction projects, except single-family residential construction and other residential construction consisting of four or fewer units."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 25** was adopted.

Representative Griesheimer offered **House Amendment No. 26**.

*House Amendment No. 26*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 44, Section 226.585.1, Line 10, by inserting after the word "commission" the following: "**and shall not be denied without good cause.**".

On motion of Representative Griesheimer, **House Amendment No. 26** was adopted.

Representative Froelker offered **House Amendment No. 27**.

*House Amendment No. 27*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting in the appropriate location the following:

**"Section 1. Beginning July 1, 2003, in the even the state road fund established in Article IV, Section 30(b), Constitution of Missouri, shall be insufficient to construct and maintain an adequate system of connected highways in any given fiscal year, the general assembly shall provide for such deficiency by setting apart not less than five percent of the growth in gross general revenue receipts, less refunds, from the second preceding fiscal year to the immediately preceding fiscal year in which actual gross general revenue receipts and refunds are known. If the deficiency, as determined by the general assembly, is less than five percent of the growth in gross general revenue receipts, less refunds, from the second preceding fiscal year to the immediately preceding fiscal year in which actual gross general revenue receipts and refunds are known, then the general assembly shall only set apart an amount sufficient to meet such deficiency."**; and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Britt assumed the Chair.

Representative Scott offered **House Substitute Amendment No. 1 for House Amendment No. 27**.

*House Substitute Amendment No. 1*  
for  
*House Amendment No. 27*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 27, Section 226.137, Line 9, by inserting after said section the following:

**“226.201. 1. Beginning the first fiscal year following the effective date of this act, ten percent of the actual net general revenue receipts which exceed the actual net general revenue receipts received in the most recent fiscal year in which actual net receipts are known, shall be used to fund, subject to appropriation, the costs of state offices and departments no longer receiving appropriations from the state highways and transportation department fund pursuant to subsection 3 of section 226.200.**

**2. If the amount of actual net general revenue receipts collected under subsection one of this section exceeds the cost of such state agencies and departments, the excess shall be deposited in the state road fund, as established in section 226.200.”; and**

Further amend the title and enacting clause accordingly.

On motion of Representative Scott, **House Substitute Amendment No. 1 for House Amendment No. 27** was adopted by the following vote:

AYES: 111

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Britt
Burcham	Burton	Byrd	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Franklin	Froelker	Gaskill
Gratz	Green 15	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Liese	Linton	Lograsso	Long
Luetkemeyer	Marble	May 149	Mayer	McKenna
Miller	Monaco	Moore	Myers	O'Connor
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shoemaker	Shoemyer	Smith	St. Onge
Surface	Townley	Villa	Vogel	Walker
Walton	Ward	Whorton	Willoughby	Wilson 42
Mr. Speaker				

NOES: 028

Bowman	Bray 84	Carnahan	Curls	Daus
Farnen	Foley	George	Graham	Hagan-Harrell
Hickey	Hollingsworth	Jones	Kelly 27	Lawson
Lowe	Mays 50	Murphy	O'Toole	Paone
Relford	Reynolds	Shelton	Skaggs	Thompson
Treadway	Van Zandt	Wilson 25		



PRESENT: 000

ABSENT WITH LEAVE: 023

Abel	Baker	Bland	Boykins	Brooks
Campbell	Fraser	Gambaro	Green 73	Harlan
Hilgemann	Johnson 61	Luetkenhaus	Marsh	Merideth
Naeger	Nordwald	Scheve	Shields	Troupe
Wagner	Williams	Wright		

VACANCIES: 001

Representative Fares offered **House Amendment No. 28.**

*House Amendment No. 28*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 698, 921, 867, 868 & 738, Page 16, Section 226.030, Line 18, by inserting after the word "**commission.**" the following:

**"Such candidates shall be submitted to the governor by June first in even-numbered years."**

On motion of Representative Fares, **House Amendment No. 28** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 29.**

*House Amendment No. 29*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, Page 77, Section 307.211, Line 2, by inserting after all of said line the following:

**"700.600. 1. As used in this section, the following terms mean:**

**(1) "Manufactured home", the same meaning as provided in section 700.010, RSMo;**

**(2) "Manufactured or mobile home land lease community", any area, lot, parcel, or tract held in common ownership and on which individual portions of such area, lot, parcel, or tract are leased for the placement of manufactured or mobile homes as a primary residence;**

**(3) "Mobile home", a residential building constructed or assembled in a factory which is not certified pursuant to the federal Housing and Urban Development (HUD) Code and which conforms to the American National Standards Institute (ANSI) standards for mobile homes.**

**2. A landlord of a manufactured or mobile home land lease community shall provide written notice to all of the community's tenants who own their manufactured or mobile homes at least one hundred twenty days prior to requiring such tenants to vacate the property due to a change in use of the property. In cases where more than one hundred twenty days remain on a current lease, the longer time period shall apply for purposes of providing notice pursuant to this section. The landlord shall not increase the rent, except for a rent increase based solely on an increase in property taxes, for any tenant of the manufactured or mobile home land lease community during the sixty-day period prior to providing such notice or at any time after providing such notice.**

**3. Nothing in this section shall be construed as prohibiting a landlord from evicting a tenant with less than one hundred twenty days' notice for any reason other than a change in use of the property, or for a violation of the lease, or as otherwise provided by this chapter or other laws."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Riback Wilson (25) moved that **House Amendment No. 29** be adopted.

Which motion was defeated.

Representative Henderson offered **House Amendment No. 30**.

Representative Wright offered **House Substitute Amendment No. 1 for House Amendment No. 30**.

Representative Monaco raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 30** is not a true substitute amendment.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

**House Amendment No. 30** was withdrawn.

Representative Gambaro offered **House Amendment No. 30**.

*House Amendment No. 30*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 698, 921, 867, 868 & 738, Pages 56 to 58, Section 234.032, Line 6, by deleting all of said section.

Representative Gambaro moved that **House Amendment No. 30** be adopted.

Which motion was defeated.

Representative Henderson offered **House Amendment No. 31**.

*House Amendment No. 31*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868, & 738, Page 49, Section 227.107, Lines 3 through 5, by deleting the words "**approved by the East-West Gateway Coordinating Council and included in the statewide transportation improvement program approved by the commission**" and inserting in lieu thereof the words "**set forth in the fifteen year transportation plan adopted in 1992**".

Representative Smith resumed the Chair.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 31**.

**House Substitute Amendment No. 1 for House Amendment No. 31** was withdrawn.

Representative Henderson moved that **House Amendment No. 31** be adopted.

Which motion was defeated by the following vote:

AYES: 031

Ballard	Barnitz	Bartelsmeyer	Behnen	Black
Boatright	Burcham	Champion	Crawford	Crowell
Gratz	Hegeman	Henderson	Hohulin	Hunter
Jetton	Kelly 144	King	Luetkemeyer	Marble
Mayer	Merideth	Moore	Myers	Purgason
Quinn	Rector	Roark	Robirds	Townley
Vogel				

NOES: 116

Baker	Barnett	Barry 100	Bartle	Bearden
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Carnahan	Cierpiot	Clayton
Cooper	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hendrickson	Hilgemann	Hollingsworth
Holt	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	Koller
Lawson	Legan	Liese	Linton	Lograsso
Lowe	May 149	Mays 50	McKenna	Miller
Monaco	Murphy	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 015

Abel	Campbell	Copenhaver	Green 73	Harlan
Hickey	Holand	Hoppe	Long	Luetkenhaus
Marsh	Naeger	Scheve	Troupe	Wright

VACANCIES: 001

Speaker Pro Tem Abel resumed the Chair.

Representative Crawford offered **House Amendment No. 32**.

*House Amendment No. 32*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting in the appropriate location the following section:

**“Section 1. Any arterial roads and highways that were previously state maintained, but are not currently state maintained by the Department of Transportation as part of the state highway system shall meet state standards and specifications prior to the state highways and transportation commission resuming responsibility for the maintenance of such arterial roads and highways.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Crawford moved that **House Amendment No. 32** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Froelker	Gaskill	Gratz	Griesheimer	Hegeman
Henderson	Hendrickson	Hohulin	Hunter	Jetton
Kelley 47	Kelly 144	King	Lograsso	Luetkemeyer
Marsh	May 149	Mayer	Merideth	Miller
Moore	Murphy	Myers	Nordwald	Ostmann
Phillips	Portwood	Purgason	Rector	Reid
Reinhart	Ridgeway	Roark	Ross	Schwab
Scott	Secrest	Seigfreid	Shoemaker	Surface
Townley	Vogel	Wright		

NOES: 074

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Carnahan	Clayton	Crump	Curls
Daus	Davis	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Green 15
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Hickey	Hilgemann	Hollingsworth	Holt	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Koller	Liese	Lowe	Mays 50
McKenna	Monaco	O'Toole	Overschmidt	Paone
Quinn	Ransdall	Relford	Reynolds	Rizzo
Robirds	Selby	Shelton	Shoemyer	Smith
St. Onge	Thompson	Treadway	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 025

Baker	Boykins	Byrd	Campbell	Copenhaver
Fares	Green 73	Harlan	Haywood	Holand
Hoppe	Lawson	Legan	Linton	Long
Luetkenhaus	Marble	Naeger	O'Connor	Richardson
Scheve	Shields	Skaggs	Troupe	Van Zandt

VACANCIES: 001

Representative Roark offered **House Amendment No. 33**.

*House Amendment No. 33*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, by inserting in the appropriate location the following section:

**"226.004. 1. Beginning January 1, 2004, the chair of the highways and transportation commission shall annually present to the speaker of the house of representatives and president pro tempore of the senate, by the tenth legislative day, a plan detailing the state of transportation to be accompanied by an address to the general assembly. This plan shall outline how the department intends to use the additional revenues generated by this act to further construction of highway projects contained in its most recent statewide transportation improvement plan. The plan shall specify, by project, how the additional revenues will be utilized. In addition to the plan, the chair shall submit a report containing the most recent information required by section 21.795, RSMo, the department's most recent statewide transportation improvement plan, and an analysis regarding how the additional revenues produced by this act have accelerated projects contained within the department of transportation's statewide transportation improvement plan. The report shall also contain the current status as to completion, by project, of the most recent statewide transportation improvement program. The chair shall specifically identify at least one priority project in each transportation district which has been completed or substantially completed ahead of schedule due to the additional revenues provided by this act. In addition, the chair shall analyze how the additional revenues have accelerated the reconstruction of the interstate system, particularly interstate highway 70. Once the plan has been submitted, the general assembly shall determine by concurrent resolution whether the collection of the additional revenues generated from this act shall be continued.**

**2. The plan submitted by the highways and transportation commission shall become effective no later than forty-five calendar days after its submission to a regular session, unless it is disapproved within said forty-five calendar days by a concurrent resolution introduced within fourteen calendar days of the submission of the plan. The presiding officer of each house in which a concurrent resolution disapproving the plan has been introduced, shall submit it to a vote of the membership not sooner than seven calendar days or later than fourteen calendar days after introduction of the concurrent resolution pertaining to the commission's plan. The presiding officer of the house passing a concurrent resolution disapproving the commission's plan shall immediately forward the bill to the other house and the presiding officer of that house shall submit it to a vote of the membership not sooner than seven calendar days or later than fourteen calendar days of its receipt from the other legislative body. The plan submitted by the highways and transportation commission shall not be subject to amendment by either chamber and may only be rejected in its entirety.**

**3. If the plan submitted by the commission is rejected by the general assembly, the highways and transportation commission shall within thirty days of disapproval cease further highway construction activities until the general assembly approves an alternative plan submitted by the commission pursuant to the procedure described in this section."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Roark moved that **House Amendment No. 33** be adopted.

Which motion was defeated.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Miller	Moore
Murphy	Myers	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 006

Copenhaver	Linton	Long	Marsh	Naeger
Richardson				

VACANCIES: 001

On motion of Representative Koller, **HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, as amended**, was adopted.

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On motion of Representative Koller, **HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, as amended**, was read the third time and passed by the following vote:

AYES: 088

Abel	Baker	Barry 100	Berkowitz	Black
Bland	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Byrd	Campbell	Carnahan
Clayton	Crump	Curls	Daus	Davis
Dolan	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Hollingsworth
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Koller	Lawson	Liese	Lowe	Luetkenhaus
May 149	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Robirds
Scheve	Seigfreid	Shelton	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 068

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Boatright	Bonner
Burcham	Burton	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Froelker	Gaskill	Griesheimer	Hampton	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Holt	Hoppe	Hunter	Jetton	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Legan
Lograsso	Luetkemeyer	Marble	Mayer	Miller
Moore	Murphy	Myers	Nordwald	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Ridgeway	Roark	Ross	Schwab
Scott	Secrest	Selby	Shields	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 006

Copenhaver	Linton	Long	Marsh	Naeger
Richardson				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Purgason requested a verification of the roll call on the motion to third read and pass **HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, as amended**.

## **REFERRAL OF SENATE JOINT RESOLUTION**

The following Senate Joint Resolution was referred to the Committee indicated:

**SJR 24** - Miscellaneous Bills & Resolutions

## **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**HCS SS SCS SBs 670 & 684** - Fiscal Review and Government Reform (Fiscal Note)

**SCS SB 739** - Professional Registration and Licensing

**SS#2 SCS SBs 1279, 1162 & 1164** - Commerce and Economic Development

**SB 1281** - Budget

## **COMMITTEE REPORTS**

**Committee on Budget**, Chairman Green (73) reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 1281**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Environment and Energy**, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SB 1011**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 931**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCS SB 892**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1313** and grants the House a conference thereon.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HB 1313**: Senators Foster, Childers, Gross, Johnson and Stoll.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 758**: Senators Bentley, Childers, Sims, Dougherty and Stoll.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 795**: Senators Schneider, Goode, Klarich, Steelman and Gibbons.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 960** and has taken up and passed **HCS SCS SB 960**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 980**: Senators Singleton, Sims, Foster, Schneider and Johnson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 1009** and has taken up and passed **HCS SS SCS SB 1009**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1012** and has taken up and passed **HCS SB 1012**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1078** and has taken up and passed **HCS SB 1078**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1093** and has taken up and passed **HCS SCS SB 1093**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1210** and has taken up and passed **HCS SCS SB 1210**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1712**, entitled:

An act to repeal sections 347.143, 351.055, 351.120, 351.140, 351.145, 351.150, 351.155, 351.182, 351.385, 351.400, 351.455, 355.856, 356.211, 400.9-102, 400.9-109, 400.9-303, 400.9-317, 400.9-323, 400.9-406, 400.9-407, 400.9-408, 400.9-409, 400.9-504, 400.9-509, 400.9-513, 400.9-525, 400.9-602, 400.9-608, 400.9-611, 400.9-613, 400.9-615, 400.9-625, 400.9-710, 407.432, 417.210, 429.010 and 575.060, RSMo, and to enact in lieu thereof forty new sections relating to business and commerce, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1712, Page 80, Section 429.810, Line 7, by inserting after all of said line the following:

**“430.225. 1. As used in sections 430.225 to 430.250, the following terms shall mean:**

- (1) “Claim”, a claim of a patient for:**
  - (a) Damages from a tort-feasor; or**
  - (b) Benefits from an insurance carrier;**
- (2) “Clinic”, a group practice of health practitioners or a sole practice of a health practitioner who has incorporated his or her practice;**
- (3) “Health practitioner”, a chiropractor licensed pursuant to chapter 331, RSMo, a podiatrist licensed pursuant to chapter 330, RSMo, a dentist licensed pursuant to chapter 332, RSMo, a physician or surgeon licensed pursuant to chapter 334, RSMo, or an optometrist licensed pursuant to chapter 336, RSMo, while acting within the scope of their practice;**
- (4) “Insurance carrier”, any person, firm, corporation, association or aggregation of persons conducting an insurance business pursuant to chapter 375, 376, 377, 378, 379, 380, 381 or 383, RSMo;**
- (5) “Other institution”, a legal entity existing pursuant to the laws of this state which delivers treatment, care or maintenance to patients who are sick or injured;**
- (6) “Patient”, any person to whom a health practitioner, hospital, clinic or other institution delivers treatment, care or maintenance for sickness or injury caused by a tort-feasor from whom such person seeks damages or any insurance carrier which has insured such tort-feasor.**

**2. Clinics, health practitioners and other institutions, as defined in this section shall have the same rights granted to hospitals in sections 430.230 to 430.250.**

**3. If the liens of such health practitioners, hospitals, clinics or other institutions exceed fifty percent of the amount due the patient, every health care practitioner, hospital, clinic or other institution giving notice of its lien, as aforesaid, shall share in up to fifty percent of the net proceeds due the patient, in the proportion that each claim bears to the total amount of all other liens of health care practitioners, hospitals, clinics or other institutions. “Net proceeds”, as used in this section, means the amount remaining after the payment of contractual attorney fees, if any, and other expenses of recovery.**

**4. In administering the lien of the health care provider, the insurance carrier may pay the amount due secured by the lien of the health care provider directly, if the claimant authorizes it and does not challenge the amount of the customary charges or that the treatment provided was for injuries cause by the tort-feasor.**

**5. Any health care provider electing to receive benefits hereunder releases the claimant from further liability on the cost of the services and treatment provided to that point in time.**

**“[430.225. 1. As used in sections 430.225 to 430.250, the following terms shall mean:**

- (1) “Claim”, a claim of a patient for:**
  - (a) Damages from a tort-feasor; or**
  - (b) Benefits from an insurance carrier;**
- (2) “Clinic”, a group practice of health practitioners or a sole practice of a health practitioner who has incorporated his or her practice;**
- (3) “Health practitioner”, a chiropractor licensed pursuant to chapter 331, RSMo, a podiatrist licensed pursuant to chapter 330, RSMo, a dentist licensed pursuant to chapter 332, RSMo, a physician or surgeon licensed pursuant to chapter 334, RSMo, or an optometrist licensed pursuant to chapter 336, RSMo, while acting within the scope of their practice;**
- (4) “Insurance carrier”, any person, firm, corporation, association or aggregation of persons conducting an insurance business pursuant to chapter 375, 376, 377, 378, 379, 380, 381 or 383, RSMo;**
- (5) “Other institution”, a legal entity existing pursuant to the laws of this state which delivers treatment, care or maintenance to patients who are sick or injured;**
- (6) “Patient”, any person to whom a health practitioner, hospital, clinic or other institution delivers treatment, care or maintenance for sickness or injury caused by a tort-feasor from whom such person seeks damages or any insurance carrier which has insured such tort-feasor.**

2. Clinics, health practitioners and other institutions, as defined in this section shall have the same rights granted to hospitals in sections 430.230 to 430.250.

3. If the liens of such health practitioners, hospitals, clinics or other institutions exceed fifty percent of the amount due the patient, every health care practitioner, hospital, clinic or other institution giving notice of its lien, as aforesaid, shall share in up to fifty percent of the net proceeds due the patient, in the proportion that each claim bears to the total amount of all other liens of health care practitioners, hospitals, clinics or other institutions. "Net proceeds", as used in this section, means the amount remaining after the payment of contractual attorney fees, if any, and other expenses of recovery.

4. In administering the lien of the health care provider, the insurance carrier may pay the amount due secured by the lien of the health care provider directly, if the claimant authorizes it and does not challenge the amount of the customary charges or that the treatment provided was for injuries cause by the tort-feasor.

5. Any health care provider electing to receive benefits hereunder releases the claimant from further liability on the cost of the services and treatment provided to that point in time.]]"; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1712, Page 2, Section 347.143, Line 2, by inserting immediately before said line the following:

"72.080. 1. Any unincorporated city, town or other area of the state may, except as otherwise provided in sections 72.400 to 72.420, become a city of the class to which its population would entitle it pursuant to this chapter, and be incorporated pursuant to the law for the government of cities of that class, in the following manner: whenever a number of voters equal to fifteen percent of the votes cast in the last gubernatorial election in the area proposed to be incorporated shall present a petition to the governing body of the county in which such city or town or area is situated, such petition shall describe, by metes and bounds, the area to be incorporated and be accompanied by a plat thereof, shall state the approximate population and the assessed valuation of all real and personal property in the area and shall state facts showing that the proposed city shall have the ability to furnish normal municipal services within a reasonable time after its incorporation is to become effective and praying that the question be submitted to determine if it may be incorporated. If the governing body shall be satisfied that a number of voters equal to fifteen percent of the votes cast in the last gubernatorial election in the area proposed to be incorporated have signed such petition, the governing body shall submit the question to the voters.

2. The county may make changes in the petition to correct technical errors or to redefine the metes and bounds of the area to be incorporated to reflect other boundary changes occurring within six months prior to the time of filing the petition. Petitions submitted by proposing agents may be submitted with exclusions for the signatures collected in areas originally included in the proposal but subsequently annexed or incorporated separately as a city, town or village, although the governing body shall be satisfied as to the sufficiency of the signatures for the final proposed area. If a majority of the voters voting on the question vote for incorporation, the governing body shall declare such city, town or other area incorporated, designating in such order the metes and bounds thereof, and thenceforth the inhabitants within such bounds shall be a body politic and incorporate, by the name and style of "the city of .....", or "the town of .....", and the first officers of such city or town shall be designated by the order of the governing body, who shall hold their offices until the next municipal election and until their successors shall be duly elected and qualified. The county shall pay the costs of the election.

3. In any county with a charter form of government where fifty or more cities, towns and villages have been incorporated, an unincorporated city, town or other area of the state shall not be incorporated except as provided in sections 72.400 to 72.420.

**4. Any unincorporated area located partially within any county of the first classification without a charter form of government and with more than eighty-two thousand but less than eighty-two thousand one hundred inhabitants and partially within any county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants may incorporate as a city of the class to which its population would entitle it pursuant to this chapter notwithstanding any proposed annexation of the unincorporated area by any city of the third or fourth classification or any home rule city with more than four**

**hundred thousand inhabitants and located in more than one county. If any city of the third or fourth classification or any home rule city with more than four hundred thousand inhabitants and located in more than one county proposes annexation by ordinance or resolution of any unincorporated area as defined in this subsection, no such annexation shall become effective until after the qualified voters in the unincorporated area proposed to be incorporated fail to approve the proposed incorporation by a majority vote in the election described in subsection 2 of this section.**

5. Prior to the election described in subsection 2 of this section, if the owner or owners of either the majority of the commercial or the majority of the agricultural classification of real property in the proposed area to be incorporated object to such incorporation, such owner or owners may file an action in the circuit court of the county in which such unincorporated area is situated, pursuant to the provisions of chapter 527, RSMo, praying for a declaratory judgment requesting that such incorporation be declared unreasonable by the court. As used in this subsection, a “majority of the commercial or agricultural classification” means a majority as determined by the assessed valuation of the tracts of real property in either classification to be determined by the assessments made according to chapter 137, RSMo. The petition in such action shall state facts showing that such incorporation including the real property owned by the petitioners is not reasonable based on the same criteria as specified in subsection 3 of section 72.403 and is not necessary to the proper development of the city or town. If the circuit court finds that such inclusion is not reasonable and necessary, it may enjoin the incorporation or require the petition requesting the incorporation to be resubmitted excluding all or part of the property of the petitioners from the proposed incorporation.

72.130. Except as provided in sections 72.400 to 72.420, no city, town, village or other area shall be organized within this state under and by virtue of any law thereof, adjacent to or within two miles of the limits of any city of the first, second, third or fourth classification or any constitutional charter city, unless the city, town, village or other area be in a different county from the city **or unless the city, town or village is located partially within any county of the first classification without a charter form of government and with more than eighty-two thousand but less than eighty-two thousand one hundred inhabitants and partially within any county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants**, except that a city, town, village or other area may be incorporated within the two-mile area if a petition signed by a number of voters equal to fifteen percent of the votes cast in the last gubernatorial election in the area proposed to be incorporated is presented to the existing city requesting that the boundaries of the existing city be extended to include the area proposed to be incorporated and if action taken thereon by the existing city is unfavorable to the petition, or if no action is taken by the existing city on the petition, then the city, town, village or other area may be incorporated after the expiration of one year from the date of the petition and upon a favorable majority vote on the question.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1712, Page 2, Section 347.143, Line 24, by inserting after all of said line the following:

“349.010. As used in sections 349.010 to 349.100, unless the context otherwise requires, the following words and terms shall have the meanings indicated:

- (1) “Corporations” means any authority organized pursuant to the provisions of sections 349.010 to 349.100.
- (2) [“County and municipality”.] “County” means any county in the state. [“Municipality” means any city, incorporated town or village in the state.]
- (3) “Governing body” shall mean the board or body in which the general legislative powers of the county or municipality are vested.
- (4) **“Municipality” means any city, incorporated town or village in the state.**
- (5) “Project” means the purchase, construction, extension and improvement of plants, buildings, structures, or facilities, whether or not now in existence, including the real estate, used or to be used as a factory, assembly plant, manufacturing plant, processing plant, fabricating plant, distribution center, warehouse building, public facility, waterborne vessels excepting commercial passenger vessels for hire in a city not within a county built prior to 1950, office building, for-profit or not-for-profit hospital, not-for-profit nursing or retirement facility or combination thereof, physical fitness, recreational, indoor and resident outdoor facilities operated by not-for-profit organizations, **child or adult day care facilities operated by not-for-profit organizations**, commercial or agricultural facility, or facilities

for the prevention, reduction or control of pollution. Included in all of the above shall be any required fixtures, equipment and machinery. Excluded are facilities designed for the sale or distribution to the public of electricity, gas, water or telephone, together with any other facilities for cable television and those commonly classified as public utilities. Projects of a municipal authority must be located wholly within the incorporated limits of the municipality except that such projects may be located outside the corporate limits of such municipality and within the county in which the municipality is located with permission of the governing body of the county. Projects of a county authority must be located within an unincorporated area of such county except that such projects may be located within the incorporated limits of a municipality within such county, when approved by the governing body of the municipality.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1468**, entitled:

An act to repeal sections 375.775, 376.1350, 379.321, 379.362, 379.889 and 379.890, RSMo, relating to commercial lines of insurance, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1473**, entitled:

An act to repeal section 376.1350, RSMo, relating to health insurance, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1888**, entitled:

An act to repeal sections 150.465, 191.905, 252.235, 367.031, 367.044, 367.055, 569.095, 569.097, 569.099, 570.010, 570.020, 570.030, 570.040, 570.080, 570.085, 570.090, 570.120, 570.123, 570.125, 570.130, 570.210, 570.300, 578.150, 578.377, 578.379, 578.381 and 578.385, RSMo, relating to stolen property and services, and to enact in lieu thereof twenty-seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 69**.

SENATE CONCURRENT RESOLUTION NO. 69

WHEREAS, on October 28, 2000, under Public Law 106-387, an exemption was made to allow food and medicine sales to Cuba, which was the first time since sanctions against Cuba were imposed in 1962; and

WHEREAS, the state of Pennsylvania has established a sister-state relationship with a Cuban province; and

WHEREAS, cities within the states of Indiana, Wisconsin, Alabama, California, Pennsylvania and Washington have established sister-city relationships with Cuban cities; and

WHEREAS, Cuba invites the state of Missouri to establish a sister-state relationship with the Province of Villa Clara to foster mutual friendship, peace and economic opportunities; and

WHEREAS, both the state of Missouri and the Province of Villa Clara possess rich cultural histories, the sharing of which will be mutually beneficial; and

WHEREAS, the state of Missouri is a national leader in the fields of agriculture, medicine and research, and is therefore in a unique position to provide humanitarian assistance to our Caribbean neighbor as well as developing an expansive market for Missouri's agriculture and medical products:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby extend to the officials of the Province of Villa Clara their sincere invitation to join with the state of Missouri in a meaningful sister-state relationship; and

BE IT FURTHER RESOLVED that the Governor of the state of Missouri is requested to implement procedures to effectuate the development of a sister-state relationship with the Province of Villa Clara; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Governor of the state of Missouri and the Government Officials of the Province of Villa Clara.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **HCS SCS SB 980**, and has taken up and adopted **HCS SCS SB 980** and has taken up and passed **HCS SCS SB 980**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1070** and has taken up and passed **HCS SCS SB 1070**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1113** and has taken up and passed **HCS SCS SB 1113**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1075**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HBs 1205, 1214, 1314, 1320, 1504, 1788, 1867 & 1969**, entitled:

An act to repeal sections 301.441 and 301.448, RSMo, and to enact in lieu thereof ten new sections relating to special license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1789**, entitled:

An act to repeal sections 301.129, 301.131 and 301.453, RSMo, relating to special license plates, and to enact in lieu thereof four new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2062**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 74**.

SENATE CONCURRENT RESOLUTION NO. 74

WHEREAS, the rugged and scenic landscape of Roaring River State Park is a landmark of Barry County and southwest Missouri; and

WHEREAS, Roaring River State Park provides hours of enjoyment for its visitors who partake in its fishing, hiking and camping opportunities; and

WHEREAS, the Inn and Conference Center at Roaring River State Park is the signature building in the Park; and

WHEREAS, Emory Melton was a state Senator representing Barry County and the area encompassing the Roaring River State Park for many years; and

WHEREAS, former state Senator Emory Melton was instrumental in furthering the development and enjoyment of the Park; and

WHEREAS, without Senator Melton's efforts, the Park would not be the tourist attraction that it is today; and

WHEREAS, Senator Melton deserves permanent recognition of his work on behalf of the Park:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate that the Inn and Conference Center at Roaring River State Park located in Barry County shall hereinafter be known as the "Emory Melton Inn and Conference Center"; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Governor and the Director of the Department of Natural Resources.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 4**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 13**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 57**.

SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE CONCURRENT RESOLUTION NO. 57

WHEREAS, sustained investment in electric, natural gas, water sewer and heating utility infrastructure is vital to the economic vitality and well-being of the State of Missouri; and

WHEREAS, Missouri electric, natural gas, water sewer and heating utility companies compete with utility companies in other states for the capital necessary to sustain investment in utility infrastructure in Missouri; and

WHEREAS, Missouri electric, natural gas, water sewer and heating utility companies must achieve reasonable rates of return as compared to the rates of return achieved by utility companies in other states to ensure sustained investment in utility infrastructure in Missouri; and

WHEREAS, the utility regulatory process in Missouri, as it applies to electric, natural gas, water sewer and heating corporations, is governed primarily by Chapter 393, RSMo, which is largely unchanged since original enactment in 1913; and

WHEREAS, rates of return must not be set in such a way as to expose Missouri consumers and workers to the dangers of unaffordable, unreliable, unstably priced service in the name of encouraging investment; and

WHEREAS, the potential for the deregulation of utilities in Missouri has received substantial legislative study in recent years, while the ongoing utility regulatory process and procedure has not enjoyed broad legislative evaluation; and

WHEREAS, there is an increasing trend among energy and utility companies toward proliferation of subsidiary corporations, complex relationships and the movement of assets among these subsidiaries, the increasing reliance on business strategies which seek to separate the production of energy and the provision of service from speculation in energy as an abstract commodity; and

WHEREAS, this trend has complicated the regulatory task in Missouri in a variety of ways; and

WHEREAS, this trend calls for more effective public oversight of an increasingly complex energy market so as to prevent the harm to consumers, shareholders and workers that can result from the financial instability and lack of accountability; and

WHEREAS, the utility regulatory process could benefit from being evaluated at this time so as to ensure the ability of regulatory process to ensure reliable, affordable and stably priced utility service and promote the interests of fairness and balance among all constituencies, including consumers, workers and shareholders of regulated utility companies; and

WHEREAS, the utility regulatory process must be periodically evaluated so as to promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies, by addressing policy and practice advances in areas including , but not limited to, non-traditional regulatory rate plans, performance-based regulatory rate plans, incentive regulatory rate plans, capital recovery schedules, consistency of utility regulatory policy with generally accepted accounting principles, consistency of utility regulatory policy with financial accounting standards, consistency of utility regulatory policy with generally accepted engineering principles, communication between and among participants in the regulatory process, time schedules for the initiation and conclusion of proceedings before utility regulatory agencies, the role, function and needs of the Public Service Commission, the role, function and needs of the Office of Public Counsel and the overall structure and cost of governmental utility regulatory agencies and the utility regulatory process:



NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Legislative Committee on Utility Regulation and Infrastructure Investment; and

BE IT FURTHER RESOLVED that said Committee be composed of five members of the Senate, to be appointed by the President Pro Tem and five members of the House of Representatives to be appointed by the Speaker of the House and that said committee be authorized to function throughout the entirety of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that said Committee conduct in-depth studies and make appropriate recommendations concerning: how the utility regulatory process and the results thereof in Missouri in regard to electric, natural gas, water sewer and heating utility companies compare to the utility regulatory process and the results thereof in other states; and how the utility regulatory process in Missouri in regard to electric, natural gas, water sewer and heating utility companies can, or should, be modernized to be more efficient and effective, ensure sustained investment in utility infrastructure and promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies; and

BE IT FURTHER RESOLVED that said Committee present a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-third General Assembly; and

BE IT FURTHER RESOLVED that said Committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Office of Public Counsel, political subdivisions of this state, energy utilities, water utilities, heating corporations and representatives of energy and water customer groups; and

BE IT FURTHER RESOLVED that House Research, the Committee on Legislative Research and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Committee, its members and any staff personnel assigned to the Committee incurred in attending meetings of the Committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCS SCR 60**.

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE CONCURRENT RESOLUTION NO. 60

WHEREAS, the State of Missouri recognizes the critical importance of information technology to its government, industry and local economy; and

WHEREAS, high technology has made enormous contributions to Missouri's economic growth and competitiveness; and

WHEREAS, the high technology industry is one of the most vibrant sectors of Missouri's economy, with over 3,670 high technology companies employing 21,300 Missouri residents and generating over \$1 billion in annual wages; and

WHEREAS, high technology jobs are high-paying, high-skill, dynamic, and adaptable, with the average Missouri high technology worker earning \$50,000 a year; and

WHEREAS, the positive economic impact of high technology in Missouri does not end with workers in well-paid high technology jobs, but extends to the businesses that provide goods and services to high technology companies, resulting in an overall impact of 66,100 jobs and more than \$2.4 billion in wages for Missouri residents; and

WHEREAS, software piracy represents one of the greatest threats to the continued growth of Missouri's high technology industry, with software piracy costing the Missouri economy nearly 1,900 jobs and \$80 million in wages annually; and

WHEREAS, software piracy robs \$15.1 million annually from the State of Missouri in lost tax revenues; and

WHEREAS, software piracy can have a serious chilling effect on creativity, innovation, and profitability in the vital high technology sector of Missouri's economy; and

WHEREAS, counterfeit and other forms of pirated software expose consumers, including state agencies, to the risk of computer viruses, reduced technical support, and other problems that prevent the efficient operation of information systems; and

WHEREAS, due to the destructive impact of software piracy on the Missouri economy and consumers, the Missouri General Assembly recognizes the need to develop a comprehensive statewide response to combat the use of unlicensed software in all state agencies and promote sound management of state information systems:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Governor to take the necessary steps to:

- (1) Cause each state agency to work diligently to prevent and combat computer software piracy;
- (2) Cause each state agency to be knowledgeable of relevant provisions of federal law, including the federal copyright acts and all applicable licensing restrictions; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor of Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 954**, entitled:

An act to repeal section 288.030, RSMo, relating to employment security definitions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 1202**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1213** and has taken up and passed **HCS SB 1213**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1244** and has taken up and passed **HCS SB 1244**.

The following member's presence was noted: Marsh.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 9:00 a.m., Thursday, May 9, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-sixth Day, Tuesday, May 7, 2002, page 1679, line 11, by deleting said line and inserting in lieu thereof the following:

**SCS HB 2120:** Representatives Hosmer, Britt, Kelly (36), Ridgeway and Mayer

Pages 1671 and 1672, roll call, by showing Representatives Burcham, Carnahan, Crawford, Jolly, Rector, Roark and Wright voting "aye" rather than "absent with leave".

Pages 1672 and 1673, roll call, by showing Representative Wright voting "aye" rather than "absent with leave".

Pages 1673 and 1674, roll call, by showing Representatives Hunter and Willoughby voting "aye" rather than "absent with leave".

Pages 1674 and 1675, roll call, by showing Representatives Crowell, Dempsey, Hosmer, Shields and Wright voting "aye" rather than "absent with leave".

Pages 1675 and 1676, roll call, by showing Representatives Crowell and Hunter voting "aye" rather than "absent with leave".

Pages 1676 and 1677, roll call, by showing Representatives Carnahan and Crowell voting "aye" rather than "absent with leave".

Pages 1677 and 1678, roll call, by showing Representative Crowell voting "aye" rather than "absent with leave".

Pages 1678 and 1679, roll call, by showing Representative Crowell voting "aye" rather than "absent with leave".

Pages 1679 and 1680, roll call, by showing Representatives Crowell and Wagner voting "aye" rather than "absent with leave".

Pages 1691 and 1692, roll call, by showing Representatives Jones, Walker and Wright voting "aye" rather than "absent with leave".

Pages 1694 and 1695, roll call, by showing Representatives Dolan, Froelker, Hunter, Rector and Reinhart voting "aye" rather than "absent with leave".

Pages 1695 and 1696, roll call, by showing Representatives Barry, Copenhaver, Dolan, Fares, Froelker, Jolly, Miller, Rector, Reinhart, Shields and St. Onge voting "aye" rather than "absent with leave".

Pages 1698 and 1699, roll call, by showing Representatives Enz, Kelly (27) and Reinhart voting "no" rather than "absent with leave".

Pages 1699 and 1700, roll call, by showing Representative Shoemaker (8) voting "aye" rather than "no".

Pages 1699 and 1700, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1700 and 1701, roll call, by showing Representative Copenhaver voting "present" rather than "aye".

Pages 1700 and 1701, roll call, by showing Representatives Hosmer and Paone voting "aye" rather than "absent with leave".

Pages 1701 and 1702, roll call, by showing Representatives Carnahan, Hosmer and Paone voting "aye" rather than "absent with leave".

Pages 1702 and 1703, roll call, by showing Representatives Burcham, Hosmer and Paone voting "aye" rather than "absent with leave".

Pages 1703 and 1704, roll call, by showing Representatives Fares, Hosmer, Kelly (27) and Paone voting "aye" rather than "absent with leave".

Pages 1704 and 1705, roll call, by showing Representatives Hosmer, Kelly (27) and Paone voting "aye" rather than "absent with leave".

Pages 1705 and 1706, roll call, by showing Representatives Hosmer, Kelly (27) and Paone voting "aye" rather than "absent with leave".

Pages 1706 and 1707, roll call, by showing Representatives Hosmer, Kelly (27), Myers and Paone voting "aye" rather than "absent with leave".

Pages 1707 and 1708, roll call, by showing Representatives Carnahan, Hampton, Hosmer, Kelly (27) and Paone voting "aye" rather than "absent with leave".

Pages 1708 and 1709, roll call, by showing Representatives Barry, Carnahan, Hosmer, Paone and Rector voting "aye" rather than "absent with leave".

Pages 1709 and 1710, roll call, by showing Representatives Hosmer and Paone voting "aye" rather than "absent with leave".

Pages 1710 and 1711, roll call, by showing Representatives Carnahan, Dempsey, Graham and Hosmer voting "aye" rather than "absent with leave".

Pages 1711 and 1712, roll call, by showing Representatives Carnahan, Graham, Harding, Hosmer and Shields voting "aye" rather than "absent with leave".

Pages 1712 and 1713, roll call, by showing Representatives Carnahan and Hosmer voting "aye" rather than "absent with leave".

Pages 1713 and 1714, roll call, by showing Representatives Carnahan, Crowell, Graham and Hosmer voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **COMMERCE AND ECONOMIC DEVELOPMENT**

Thursday, May 9, 2002. Hearing Room 1 upon morning recess.

Executive Session.

Public Hearing to be held on: SB 1279

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 9, 2002, 8:00 a.m. Hearing Room 3.

### **CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Thursday, May 9, 2002. Hearing Room 4 upon morning recess.

Executive Session may follow.

Public Hearing to be held on: SCR 53

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, May 9, 2002, 8:00 a.m. AMENDED - DATE CHANGED.

Senator Rohrbach's Office Room 221.

### **JUDICIARY**

Thursday, May 9, 2002. Hearing Room 6 upon morning recess.

Public Hearing to be held on: SB 958, SB 1014, SB 1152

Executive Session to be held on: SB 662

PROFESSIONAL REGISTRATION AND LICENSING

Friday, May 10, 2002, 12:20 p.m. Hearing Room 5 upon morning recess or time mentioned.

Public Hearing to be held on: SB 739

**HOUSE CALENDAR**

SIXTY-EIGHTH DAY, THURSDAY, MAY 9, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton
- 11 HB 1211 - Smith
- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)
- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher
- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley
- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)
- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall

- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 2160, as amended - Britt
- 2 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 3 HB 1916 - Franklin

#### **HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCS HCR 35, (5-7-02, Pages 1716-1718) - Riback Wilson (25)
- 2 HCR 30, (5-7-02, Pages 1715-1716) - Boucher
- 3 HCR 40, (5-7-02, Pages 1718-1719) - Walton

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HB 1594 - Gratz
- 3 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 4 HS HCS HB 1231 - Harding

#### **SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

- 1 SCS SCR 57
- 2 SS SCS SCR 60
- 3 SCR 69
- 4 SCR 74

#### **SENATE BILL FOR SECOND READING**

SCS SB 954

#### **SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

SCR 58, HCA 1 (Klarich) (4-9-02, Pages 1026-1027) - Luetkenhaus

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 831, (Loudon) - Gambaro

**SENATE BILLS FOR THIRD READING**

- 1 HCS SS SCS SB 675, E.C. (Fiscal Review 5-1-02)(Yeckel) - Seigfreid
- 2 HCS SCS SB 810, (Dougherty) - Ladd Baker
- 3 HCS SCS SB 712, E.C. (Singleton) (Fiscal Review 5-2-02) - O'Toole
- 4 SCS SB 915, 710 & 907, (Westfall) - Koller
- 5 HCS SCS SB 894, 975 & 927, E.C. (Kinder) (Fiscal Review 5-6-02) - O'Toole
- 6 HCS SB 856, (Russell) (Fiscal Review 5-6-02) - Rizzo
- 7 HCS SS SCS SB 670 & 684, (Sims) (Fiscal Review 5-8-02) - Harlan
- 8 HCS SB 1039, (DePasco) - Curls
- 9 HCS SCS SB 1061 & 1062, (Rohrbach) - Harlan
- 10 HCS SCS SB 722, (Bentley) - Relford
- 11 SB 1143, (Jacob) - Monaco
- 12 SB 859, (Russell) - Ransdall
- 13 HCS SCS SB 680, E.C. (Bland) - Barry
- 14 HCS SB 718, (House) - Berkowitz
- 15 SCS SB 1266, (Kenney) - Hoppe
- 16 SB 1011, (Caskey) - Monaco
- 17 HCS SCS SB 892, (Kenney) - O'Connor
- 18 HCS SS SCS SB 931, (Klarich) - Monaco

**SENATE BILL FOR THIRD READING - APPROPRIATIONS**

SB 1281, (Russell) - Green (73)

**SENATE BILL FOR THIRD READING - INFORMAL**

HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1701 - Luetkenhaus
- 2 SS SCS HB 1712, as amended - Monaco
- 3 SCS HB 1468 - Ward
- 4 SCS HB 1473 - Green (15)
- 5 SS SCS HCS HB 1888 - Barnitz
- 6 SCS HB 1205, 1214, 1314, 1320, 1504, 1788, 1867 & 1969 -Seigfreid
- 7 SCS HB 1789 - Ross



**BILL CARRYING REQUEST MESSAGES**

HCS SCS SB 1202, E.C. (req. House recede/grant conference) - Koller

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 1101 - Green (73)
- 2 SCS HCS HB 1102, as amended - Graham
- 3 SCS HCS HB 1103, as amended - Graham
- 4 SCS HCS HB 1104, as amended - Bray
- 5 SCS HCS HB 1105 - Bonner
- 6 SCS HCS HB 1106 - Ransdall
- 7 SCS HCS HB 1107, as amended - Ransdall
- 8 SCS HCS HB 1108 - Kelly (27)
- 9 SCS HCS HB 1109 - Kelly (27)
- 10 SCS HCS HB 1110 - Riback Wilson (25)
- 11 SCS HCS HB 1111, as amended - Troupe
- 12 SCS HCS HB 1112 - Bonner
- 13 SCS HB 2120 - Ridgeway
- 14 HS HCS SS SB 1248, as amended - Foley
- 15 HCS SB 758 - Hosmer
- 16 HCS SB 795 - Treadway
- 17 HCS SCS SB 1086 & 1126 - Hoppe
- 18 SCS HB 1313 - Burton
- 19 HS SB 1220, as amended - O'Toole

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-EIGHTH DAY, THURSDAY, MAY 9, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious Lord, Giver of Life, we bow now as Your children, and ask for guidance. Strengthen, we pray, the men and women of this House. They want to do what is right and what is best for Missouri. They need Your guidance and protection so that no narrow perspective, or contentiousness, or impatience blinds them. Confirm them in their best instincts.

Particularly we pray for the leaders of this House, for our Speaker and those who lead these two great political parties that must work together for the common good. To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dennis Jones III, Keith Callen, Bobby Kohlberg, Kyra Hjelle, Chet Chenoweth, Katie Sybert, Cali Davison, Tim Smith and Greg Smith.

The Journal of the sixty-seventh day was approved as corrected.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 131

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	George	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Koller	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna

## 1795 *Journal of the House*

Merideth	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Van Zandt	Villa	Vogel	Walker
Walton	Ward	Whorton	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 000

PRESENT: 003

Burcham	Reynolds	Wright
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ABSENT WITH LEAVE: 028

Baker	Ballard	Brooks	Cierpiot	Curls
Enz	Franklin	Gaskill	Graham	Hagan-Harrell
Harlan	Hartzler	Holand	Hollingsworth	Hunter
Kelly 36	King	Lawson	Lograsso	Long
Miller	Monaco	Reinhart	Thompson	Troupe
Wagner	Williams	Willoughby		

VACANCIES: 001

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1887

through

House Resolution No. 1900 - Representatives Fraser, Bray and Hanaway

House Resolution No. 1901 - Representative Secrest

House Resolution No. 1902 - Representative Scott

House Resolution No. 1903

through

House Resolution No. 1906 - Representative Ridgeway

House Resolution No. 1907 - Representatives Vogel and Gratz

House Resolution No. 1908

and

House Resolution No. 1909 - Representative Luetkemeyer

House Resolution No. 1910 - Representative Champion

House Resolution No. 1911 - Representative Clayton

House Resolution No. 1912 - Representatives Jolly and Campbell

### SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**SCS SCR 57, SS SCS SCR 60, SCR 69 and SCR 74** were read the second time.

## SECOND READING OF SENATE BILL

**SCS SB 954** was read the second time.

Speaker Pro Tem Abel assumed the Chair.

### MOTION

Representative Green (73) moved that the House Conferees be allowed to exceed the differences on **SCS HCS HB 1101 through SCS HCS HB 1112**.

Which motion was adopted.

## HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1468**, relating to commercial insurance, was taken up by Representative Ward.

On motion of Representative Ward, **SCS HB 1468** was adopted by the following vote:

AYES: 155

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

## 1797 *Journal of the House*

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 006

Boykins	Foley	Green 73	Harlan	Hollingsworth
Lograsso				

VACANCIES: 001

On motion of Representative Ward, **SCS HB 1468** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Ballard                      Selby

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Boykins	Cierpiot	Foley	Franklin
Green 73	Harlan	Hartzler	Hollingsworth	King
Lograsso	Purgason	Robirds	Wagner	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SS SCS HB 1712, as amended**, relating to secured transactions, was taken up by Representative Monaco.

Representative Monaco moved that the House refuse to adopt **SS SCS HB 1712, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HB 1473**, relating to health insurance, was taken up by Representative Green (15).

On motion of Representative Green (15), **SCS HB 1473** was adopted by the following vote:

AYES: 154

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway

## 1799 *Journal of the House*

Troupe	Van Zandt	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Crump	Franklin	Green 73	Harlan
Hollingsworth	Lograsso	Wagner		

VACANCIES: 001

Representative Villa assumed the Chair.

On motion of Representative Green (15), **SCS HB 1473** was truly agreed to and finally passed by the following vote:

AYES: 150

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Koller	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walker	Walton	Ward	Whorton
Williams	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Franklin	Green 73	Harlan
Holand	Hollingsworth	Kelly 27	Lawson	Lograsso
Wagner	Willoughby			

VACANCIES: 001

Representative Villa declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**SS SCS HCS HB 1888**, relating to pawnshops, was taken up by Representative Barnitz.

On motion of Representative Barnitz, **SS SCS HCS HB 1888** was adopted by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Froelker

PRESENT: 000



## 1801 *Journal of the House*

ABSENT WITH LEAVE: 011

Campbell	Foley	Franklin	Harlan	Hollingsworth
Kelly 27	Lawson	Miller	Monaco	Ostmann
Shields				

VACANCIES: 001

On motion of Representative Barnitz, **SS SCS HCS HB 1888** was truly agreed to and finally passed by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 36	King	Legan	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Overschmidt
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Franklin	Graham	Green 73	Harlan	Hickey
Hollingsworth	Kelly 27	Koller	Lawson	Linton
Lograsso	Monaco	Ostmann	Paone	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HBs 1205, 1214, 1314, 1320, 1504, 1788, 1867 & 1969**, relating to special license plates, was taken up by Representative Seigfreid.

On motion of Representative Seigfreid, **SCS HBs 1205, 1214, 1314, 1320, 1504, 1788, 1867 & 1969** was adopted by the following vote:

AYES: 138

Abel	Baker	Ballard	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hohulin	Holand	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Franklin	Townley	Wilson 25
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PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 019

Barnett	Berkowitz	Bray 84	Clayton	Foley
Gratz	Harlan	Hilgemann	Hollingsworth	Hosmer
Kelly 27	Lograsso	Luetkenhaus	Monaco	Paone
Purgason	Richardson	Shields	Williams	

VACANCIES: 001

On motion of Representative Seigfreid, **SCS HBs 1205, 1214, 1314, 1320, 1504, 1788, 1867 & 1969** was truly agreed to and finally passed by the following vote:

## 1803 *Journal of the House*

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Fraser	Froelker	Gambara	Gaskill
George	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hohulin	Holand
Holt	Hoppe	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 42	Wright	Mr. Speaker

NOES: 002

Townley                      Wilson 25

PRESENT: 002

Copenhaver                      Harding

ABSENT WITH LEAVE: 018

Baker	Byrd	Foley	Franklin	Graham
Gratz	Harlan	Hilgemann	Hollingsworth	Hosmer
Kelly 27	Lograsso	Luetkenhaus	Monaco	Murphy
Purgason	Shields	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 1789**, relating to special license plates, was taken up by Representative Ross.

On motion of Representative Ross, **SCS HB 1789** was adopted by the following vote:

AYES: 135

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Enz	Fares	Farnen	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Jetton	Johnson 61	Johnson 90	Jones	Kelley 47
Kelly 144	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Wilson 42	Wright	Mr. Speaker

NOES: 006

Boatright	Foley	Hunter	Jolly	Townley
Wilson 25				

PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 019

Ballard	Boucher	Byrd	Dolan	Franklin
Gratz	Green 73	Harlan	Hilgemann	Hosmer
Kelly 27	Luetkenhaus	Monaco	Purgason	Richardson
Shields	Vogel	Williams	Willoughby	

VACANCIES: 001

On motion of Representative Ross, **SCS HB 1789** was truly agreed to and finally passed by the following vote:

AYES: 143

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham

## 1805 *Journal of the House*

Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 003

Jolly	Townley	Wilson 25
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PRESENT: 002

Copenhaver	Harding
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ABSENT WITH LEAVE: 014

Baker	Ballard	Boykins	Byrd	Franklin
Green 73	Harlan	Kelly 27	Lograsso	Luetkenhaus
Purgason	Reinhart	Vogel	Williams	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### **BILL CARRYING REQUEST MESSAGE**

**HCS SCS SB 1202**, relating to motor carrier services unit, was taken up by Representative Koller.

Representative Koller moved that the House refuse to recede from its position on **HCS SCS SB 1202** and grant the Senate a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILL

**HCS SCS SB 810**, relating to utilicare program, was taken up by Representative Ladd Baker.

Representative Ladd Baker offered **HS HCS SCS SB 810**.

Representative Relford offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810 by inserting in the appropriate location the following:

“660.099. 1. The general assembly may appropriate funds in addition to the amount currently being provided per annum for nutrition services for the elderly. Funds so designated to provide nutrition services for the elderly shall be allocated to the Missouri division of aging [to be placed on the formula basis] and distributed to each area agency on aging throughout the state of Missouri **based on the actual number of meals served in each area during the previous fiscal year**.

2. The general assembly may appropriate funds in addition to the amount currently being provided per annum through the Missouri elderly and handicapped transportation program. Funds so designated to provide transportation for the elderly and developmentally disabled shall be allocated to the Missouri division of aging to be placed on the formula basis and distributed to each area agency on aging throughout the state of Missouri.

3. The general assembly may appropriate funds in addition to the amount currently being provided per annum for home-delivered meals for the elderly. Such additional funds shall be allocated to the Missouri division of aging [to be placed on the formula basis] and distributed to each area agency on aging throughout the state of Missouri **based on the actual number of meals served in each area during the previous fiscal year.**”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 1** was adopted.

Representative Clayton assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Smith offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810, Page 4, Section 660.115.1, Line 18, by deleting the period at the end of Line 18 and adding the following:

**“; provided that the respective shares of overall funding previously received by primary and secondary heating and cooling source suppliers on behalf of their customers shall be substantially maintained.”.**

**HCS SCS SB 810, with House Amendment No. 2 and HS, as amended, pending,** was laid over.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 127

Abel	Barry 100	Bartelsmeyer	Bartle	Bearden
Berkowitz	Berkstresser	Black	Bland	Boatright
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
Linton	Lowe	Luetkemeyer	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Relford	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Troupe	Van Zandt	Villa	Vogel
Walker	Walton	Ward	Whorton	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 000

PRESENT: 003

Burcham	Reynolds	Wright
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ABSENT WITH LEAVE: 032

Baker	Ballard	Barnett	Barnitz	Behnen
Bonner	Campbell	Cooper	Dolan	Harlan
Hickey	Hosmer	Kelly 144	King	Koller
Lawson	Legan	Liese	Lograsso	Long
Luetkenhaus	Marble	Murphy	Ostmann	Paone
Reinhart	Richardson	Scott	Treadway	Wagner
Williams	Willoughby			

VACANCIES: 001

Speaker Kreider resumed the Chair.

### THIRD READING OF SENATE BILL - APPROPRIATIONS

**SB 1281**, relating to appropriations, was taken up by Representative Green (73).

**SB 1281** was laid over.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SB 1220, as amended**: Senators Sims, Kenney, Yeckel, Wiggins and Dougherty.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HBs 1093, 1094, 1159, 1204, 1242, 1272, 1391, 1397, 1411, 1624, 1632, 1714, 1755, 1778, 1779, 1852, 1862, 2025 & 2123**, entitled:

An act to repeal section 301.469, RSMo, relating to special license plates and to enact in lieu thereof twenty-five new sections relating to the same subject.

With Senate Amendment No. 1

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1093, 1094, 1159, 1204, 1242, 1272, 1391, 1397, 1411, 1624, 1632, 1714, 1755, 1778, 1779, 1852, 1862, 2025 & 2123, Page 3, Section 301.2999, Line 6, by deleting “(3)”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1811**, entitled:

An act to authorize the governor to convey certain described property.

With Senate Amendment No. 1

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1811, Page 5, Section 3, Line 40, by striking “2nd” and inserting in lieu thereof the following: “**22nd**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1443**, entitled:

An act to repeal sections 192.016 and 453.030, RSMo, and to enact in lieu thereof three new sections relating to child abandonment.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 1:30 p.m.



### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1913

and

House Resolution No. 1914 - Representative Rector

House Resolution No. 1915 - Representatives Rector and Mays (50)

House Resolution No. 1916 - Representative Barnitz

House Resolution No. 1917

through

House Resolution No. 1923 - Representative Cunningham

House Resolution No. 1924 - Representative Shoemaker (8)

House Resolution No. 1925 - Representative Johnson (61)

House Resolution No. 1926

through

House Resolution No. 1933 - Representative Dempsey

House Resolution No. 1934

and

House Resolution No. 1935 - Representative Fraser

House Resolution No. 1936 - Representative Dolan

House Resolution No. 1937 - Representative Cunningham

House Resolution No. 1938 - Representative Bonner

House Resolution No. 1939 - Representative Burton

House Resolution No. 1940

and

House Resolution No. 1941 - Representative Green (15)

House Resolution No. 1942 - Representative Bearden

### COMMITTEE REPORTS

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SB 675 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SB 712 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### THIRD READING OF SENATE BILLS

**HCS SCS SB 810, with House Amendment No. 2 and HS, as amended, pending,** relating to Utilicare program, was again taken up by Representative Ladd Baker.

On motion of Representative Smith, **House Amendment No. 2** was adopted by the following vote:

AYES: 104

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Bowman	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curts	Davis
Dempsey	Dolan	Enz	Gaskill	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Holt	Hunter	Jetton	Johnson 61	Jones
Kelley 47	Kelly 144	Kelly 27	King	Lawson
Linton	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Moore	Myers	Nordwald	O'Toole
Overschmidt	Phillips	Purgason	Quinn	Ransdall
Rector	Reinhart	Relford	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Thompson	Treadway
Troupe	Vogel	Wagner	Walker	Walton
Ward	Whorton	Wilson 42	Wright	

NOES: 044

Baker	Barnitz	Bearden	Boucher	Bray 84
Britt	Daus	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	George	Graham
Harding	Harlan	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Johnson 90
Jolly	Kelly 36	Liese	Lowe	Mays 50
Monaco	O'Connor	Ostmann	Paone	Reid
Reynolds	Ridgeway	Rizzo	St. Onge	Townley
Van Zandt	Villa	Willoughby	Wilson 25	

PRESENT: 000

ABSENT WITH LEAVE: 014

Boykins	Crump	Foley	Green 73	Koller
Legan	Lograsso	Murphy	Naeger	Portwood
Richardson	Shields	Williams	Mr. Speaker	

VACANCIES: 001

Representative Boucher offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810 by inserting in the appropriate location the following:

“470.270. After the owner, his **or her** assignee, personal representative, grantee, heirs, devisees or other successors, entitled to any moneys, refund of rates or premiums or effects by reason of any litigation concerning rates, refunds, refund of premiums, fares or charges collected by any person or corporation in the state of Missouri for any service rendered or to be rendered in said state, or for any contract of insurance on property in this state, or under any contract of insurance performed or to be performed in said state, which moneys, refund of rates or premiums or effects have been paid into or deposited in connection with any cause in any court of the state of Missouri or in connection with any cause in any United States court, or so paid into the custody of any depository, clerk, custodian, or other officer of such court, whether the same be afterwards transferred and deposited in the United States treasury or not, shall be and remain unknown, or the whereabouts of such person or persons shall be and has been unknown, for the period heretofore, or hereafter, of five successive years, or such moneys, refund of rates or premiums or effects remain unclaimed for the period heretofore, or hereafter, of five successive years, from the time such moneys or property are ordered repaid or distributed by such courts, such moneys or property shall be escheatable to the state of Missouri, and may be escheated to the state of Missouri in the manner herein provided, with all interest and earnings actually accrued thereon to the date of the judgment and decree for the escheat of the same; **except that all refunds of rates generated by the refund of natural gas or electric rates shall be transferred to the utilicare stabilization fund created pursuant to section 660.136, RSMo, with the exception of lawsuits in which the state of Missouri is a party, if the moneys that result from a refund of rates remains unclaimed after five years from the date when such rates are ordered repaid, with all interest from such refunded rates that is earned from the date such rates are ordered repaid to escheat to the state as otherwise provided in sections 470.270 to 470.350.** The provisions of this section notwithstanding, this state may elect to take custody of such unclaimed property by instituting a proceeding pursuant to section 447.575, RSMo.”; and

Further amend said bill, Section 660.136, Page 7, Line 17, by inserting after the word “**fund.**” on said line the following: “**Except as provided in subsection 3,**”; and

Further amend said bill, Section 660.136, Page 8, Line 18, by inserting after all of said line the following:

**“3. When the utilicare stabilization fund receives a transfer pursuant to section 470.270, RSMo, the moneys from that transfer shall be held in the fund for one full year after the date of transfer and shall be used to pay for heating or cooling assistance as provided in sections 660.100 to 660.136. Any moneys remaining at the end of that year shall be deposited in the state treasury to the credit of the general revenue fund of the state.”; and**

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Boucher, **House Amendment No. 3** was adopted.

Representative Willoughby offered **House Amendment No. 4.**

Representative Monaco raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Graham offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810, by inserting in the appropriate location the following:

"8.231. 1. For purposes of this section, the following terms shall mean:

(1) "Energy cost savings measure", a training program or facility alteration designed to reduce energy consumption or operating costs, and may include one or more of the following:

(a) Insulation of the building structure or systems within the building;  
 (b) Storm windows or doors, caulking or weather stripping, multiglazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing reductions in glass area, or other window and door system modifications that reduce energy consumption;

(c) Automated or computerized energy control system;

(d) Heating, ventilating or air conditioning system modifications or replacements;

(e) Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable state or local building code for the lighting system after the proposed modifications are made;

(f) Indoor air quality improvements to increase air quality that conforms to the applicable state or local building code requirements;

(g) Energy recovery systems;

(h) Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings;

(i) Any life safety measures **related to compliance with the Americans With Disabilities Act, 42 U.S.C. Section 12101, et seq.**, that provide long-term operating cost reductions and are in compliance with state and local codes; or

(j) Building operation programs that reduce the operating costs;

(2) "Governmental unit", a state government agency, department, institution, college, university, technical school, legislative body or other establishment or official of the executive, judicial or legislative branches of this state authorized by law to enter into contracts, including all local political subdivisions such as counties, municipalities, public school districts or public service or special purpose districts;

(3) "Guaranteed energy cost savings contract", a contract for the implementation of one or more such measures. The contract shall provide that all payments, except obligations on termination of the contract before its expiration, are to be made over time and the energy cost savings are guaranteed to the extent necessary to make payments for the systems. Guaranteed energy cost savings contracts shall be considered public works contracts to the extent that they provide for capital improvements to existing facilities;

(4) "Operational savings", expenses eliminated and future replacement expenditures avoided as a result of new equipment installed or services performed;

(5) "Qualified provider", a person or business experienced in the design, implementation and installation of energy cost savings measures;

(6) "Request for proposals" or "RFP", a negotiated procurement.

2. No governmental unit shall enter into a guaranteed energy cost savings contract until competitive proposals therefor have been solicited by the means most likely to reach those contractors interested in offering the required services, including but not limited to direct mail solicitation, electronic mail and public announcement on bulletin boards, physical or electronic. The request for proposal shall include the following:

(1) The name and address of the governmental unit;

(2) The name, address, title and phone number of a contact person;

(3) The date, time and place where proposals shall be received;

(4) The evaluation criteria for assessing the proposals; and

(5) Any other stipulations and clarifications the governmental unit may require.

3. The governmental unit shall award a contract to the qualified provider that provides the lowest and best proposal which meets the needs of the unit if it finds that the amount it would spend on the energy cost savings measures recommended in the proposal would not exceed the amount of energy or operational savings, or both, within a ten-year period from the date installation is complete, if the recommendations in the proposal are followed.

The governmental unit shall have the right to reject any and all bids.

4. The guaranteed energy cost savings contract shall include a written guarantee of the qualified provider that either the energy or operational cost savings, or both, will meet or exceed the costs of the energy cost savings measures, adjusted for inflation, within ten years. The qualified provider shall reimburse the governmental unit for any shortfall of guaranteed energy cost savings on an annual basis. The guaranteed energy cost savings contract may provide for payments over a period of time, not to exceed ten years, subject to appropriation of funds therefor.

5. The governmental unit shall include in its annual budget and appropriations measures for each fiscal year any amounts payable under guaranteed energy savings contracts during that fiscal year.

6. A governmental unit may use designated funds for any guaranteed energy cost savings contract including purchases using installment payment contracts or lease purchase agreements, so long as that use is consistent with the purpose of the appropriation.

7. Notwithstanding any provision of this section to the contrary, a not-for-profit corporation incorporated pursuant to chapter 355, RSMo, and operating primarily for educational purposes in cooperation with public or private schools shall be exempt from the provisions of this section."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Graham, **House Amendment No. 4** was adopted.

Representative Merideth offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810, by inserting in the appropriate location the following:

**"8.235. 1. Notwithstanding subsection 3 of section 8.231 and section 34.040, RSMo, the division of design and construction is hereby authorized to contract for guaranteed energy cost savings contracts by selecting a bid for proposal from a contractor or team of contractors using the following criteria:**

**(1) The specialized experience and technical competence of the firm or team with respect to the type of services required;**

**(2) The capacity and capability of the firm or team to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project; and**

**(3) The past record of performance of the firm or team with respect to such factors as control of costs, quality of work and ability to meet schedules.**

**2. Each guaranteed energy cost saving contract, authorized pursuant to this section, shall reduce the estimated energy consumption by a minimum of twelve percent or reduce the cost of energy and related savings by a minimum of twelve percent.**

**3. The guaranteed energy cost saving contract shall otherwise be in accordance with the provisions of section 8.231.**

**4. The division of design and construction is authorized to use this procurement process for eight projects.**

640.651. As used in sections 640.651 to 640.686, the following terms mean:

(1) "Applicant", any school, hospital, small business, local government or other energy-using sector or entity authorized by the department through administrative rule, which submits an application for loans or financial assistance to the department;

(2) "Application cycle", the period of time each year, as determined by the department, that the department shall accept and receive applications seeking loans or financial assistance under the provisions of sections 640.651 to 640.686;

(3) "Authority", the environmental improvement and energy resources authority;

(4) "Borrower", a recipient of loan or other financial assistance program funds subsequent to the execution of loan or financial assistance documents with the department or other applicable parties provided that a building owned by the state or an agency thereof **other than a state college or state university**, shall not be eligible for loans or financial assistance pursuant to sections 640.651 to 640.686;

(5) "Building", including initial installation in a new building, any applicant-owned and -operated structure,

group of closely situated structural units that are centrally metered or served by a central utility plant, or an eligible portion thereof, which includes a heating or cooling system, or both;

- (6) "Department", the department of natural resources;
- (7) "Energy conservation loan account", an account to be established on the books of a borrower for purposes of tracking information related to the receipt or expenditure of the loan funds or financial assistance, and to be used to receive and remit energy cost savings for purposes of making payments on the loan or financial assistance;
- (8) "Energy conservation measure" or "ECM", an installation or modification of an installation in a building or replacement or modification to an energy-consuming process or system which is primarily intended to maintain or reduce energy consumption and reduce energy costs, or allow the use of an alternative or renewable energy source;
- (9) "Energy conservation project" or "project", the design, acquisition, installation, and implementation of one or more energy conservation measures;
- (10) "Energy cost savings" or "savings", the value, in terms of dollars, that has or is estimated to accrue from energy savings or avoided costs due to implementation of an energy conservation project;
- (11) "Estimated simple payback", the estimated cost of a project divided by the estimated energy cost savings;
- (12) "Fund", the energy set-aside program fund established in section 640.665;
- (13) "Hospital", a facility as defined in subsection 2 of section 197.020, RSMo, including any medical treatment or related facility controlled by a hospital board;
- (14) "Hospital board", the board of directors having general control of the property and affairs of the hospital facility;
- (15) "Loan agreement", a document agreed to by the borrower's school, hospital or corporate board, principals of a business, the governing body of a local government or other authorized officials and the department or other applicable parties and signed by the authorized official thereof, that details all terms and requirements under which the loan is issued or other financial assistance granted, and describes the terms under which the loan or financial assistance repayment shall be made;
- (16) "Payback score", a numeric value derived from the review of an application, calculated as prescribed by the department, which may include an estimated simple payback or life-cycle costing method of economic analysis and used solely for purposes of ranking applications for the selection of loan and financial assistance recipients within the balance of program funds available;
- (17) "Project cost", all costs determined by the department to be directly related to the implementation of an energy conservation project, and, for initial installation in a new building, shall include the incremental cost of a high-efficiency system;
- (18) ["Repayment period", unless otherwise negotiated as required under section 640.660, the period in years required to repay a loan or financial assistance as determined by the projects' estimated simple payback or life-cycle costing analysis, and rounded to the next year in cases where the estimated simple payback or life-cycle costing analysis is in a fraction of a year;
- (19)] "School", an institution operated by a **state college or state university**, public agency, political subdivision or a public or private nonprofit organization tax exempt under section 501(c)(3) of the Internal Revenue Code which:
  - (a) Provides, and is legally authorized to provide, elementary education or secondary education, or both, on a day or residential basis;
  - (b) Provides and is legally authorized to provide a program of education beyond secondary education, on a day or residential basis; admits as students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate; is accredited by a nationally recognized accrediting agency or association; and provides an educational program for which it awards a bachelor's degree or higher degree or provides not less than a two-year program which is acceptable for full credit toward such a degree at any institution which meets the preceding requirements and which provides such a program; or
  - (c) Provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation; provides and is legally authorized to provide a program of education beyond secondary education, on a day or residential basis; admits as students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate; and is accredited by a nationally recognized accrediting agency or association;
- [(20)] (19) "School board", the board of education having general control of the property and affairs of any school as defined in this section;
- [(21)] (20) "Technical assistance report", a specialized engineering report that identifies and specifies the quantity

of energy savings and related energy cost savings that are likely to result from the implementation of one or more energy conservation measures;

[(22)] **(21)** "Unobligated balance", that amount in the fund that has not been dedicated to any projects at the end of each state fiscal year.

640.653. 1. An application for loan funds or other financial assistance may be submitted to the department for the purpose of financing all or a portion of the costs incurred in implementing an energy conservation project. The application shall be accompanied by a technical assistance report. The application and the technical assistance report shall be in such form and contain such information, financial or otherwise, as prescribed by the department. This section shall not preclude any applicant or borrower from joining in a cooperative project with any other local government or with any state or federal agency or entity in an energy conservation project; provided that, all other requirements of sections 640.651 to 640.686 are met.

2. Eligible applications shall be assigned a payback score derived from the application review performed by the department. Applications shall be selected for loans and financial assistance beginning with the lowest payback score and continuing in ascending order to the highest payback score until all available program funds have been obligated within any given application cycle. The selection criteria may be applied per sector or entity to assure equity pursuant to section 640.674. In no case shall a loan or financial assistance be made to finance an energy project with a payback score of less than six months or more than [eight years] **ten years or eighty percent of the expected useful life of the energy conservation measures when the expected useful life exceeds ten years.** Repayment periods are to be determined by the department. Applications may be approved for loans or financial assistance only in those instances where the applicant has furnished the department information satisfactory to assure that the project cost will be recovered through energy cost savings during the repayment period of the loan or financial assistance. In no case shall a loan or financial assistance be made to an applicant unless the approval of the governing board or body of the applicant to the loan agreement is obtained and a written certification of such approval is provided, where applicable.

3. The department shall approve or disapprove all applications for loans or financial assistance which are sent by certified or registered mail or hand delivered and received by the department's division of energy on, or prior to, the ninetieth day following the date of application cycle closing. Any applications which are not acted upon by the department by such date shall be deemed to be approved as submitted.

4. The department of elementary and secondary education shall be provided a summary of all proposed public elementary and secondary school projects for review within fifteen days from the application deadline. Once projects have been reviewed and selected for loans or financial assistance by the department, the department of elementary and secondary education shall have thirty days to certify that those projects selected for loans or financial assistance are consistent with related state programs for public education facilities.

5. The department of health and senior services shall be provided a summary of all proposed hospital projects for review within fifteen days from the application deadline. Once projects have been reviewed and selected for loans or financial assistance by the department of natural resources, the department of health and senior services shall have thirty days to certify that those projects selected for loans or financial assistance are consistent with related health requirements for hospital facilities.

6. The coordinating board for higher education shall be provided a summary of all proposed public higher education facility projects for review within fifteen days from the application deadline. Once projects have been reviewed and selected for loans and financial assistance by the department, the coordinating board for higher education shall have thirty days to certify that those projects selected for loans or financial assistance are consistent with related state programs for education facilities."

On motion of Representative Merideth, **House Amendment No. 5** was adopted.

Representative Hilgemann offered **House Amendment No. 6.**

Representative Monaco raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Ladd Baker, **HS HCS SCS SB 810, as amended**, was adopted.

On motion of Representative Ladd Baker, **HS HCS SCS SB 810, as amended**, was read the third time and passed by the following vote:

AYES: 127

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Lawson
Liese	Lograsso	Long	Lowe	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Monaco	Moore	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Robirds
Ross	Scheve	Secrest	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright			

NOES: 018

Boatright	Byrd	Crowell	Henderson	Hohulin
Hunter	Jetton	Kelly 144	Linton	Mayer
Miller	Murphy	Phillips	Purgason	Rizzo
Roark	Schwab	Scott		

PRESENT: 000

ABSENT WITH LEAVE: 017

Ballard	Bartelsmeyer	Boykins	Bray 84	Champion
Foley	Hegeman	Hickey	Koller	Legan
Luetkemeyer	Naeger	Richardson	Shields	Thompson
Wagner	Mr. Speaker			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SB 712**, relating to state emergency health powers, was taken up by Representative O'Toole.



Representative O'Toole offered **HS HCS SCS SB 712**.

Representative Johnson (90) offered **House Amendment No. 1**.

Representative Portwood raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Britt offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, Page 22, Section 542.404, Line 22, by deleting said line after the term “**evidence of**” through Page 23, Line 10, and inserting in lieu thereof the following:

“**a felony which involves the manufacture or distribution of a controlled substance, as the term is defined by section 195.016, or the felony of murder, arson, or kidnapping, or a terrorist threat as defined in section 574.115, or any conspiracy to commit any of the foregoing.**”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Britt, **House Amendment No. 1** was adopted.

Representative Reid offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, Page 3, Section 38.050, Line 4 of said page, by deleting the word “, **bioterrorism**” and inserting in lieu thereof the following: “**and bioterrorism preparedness**”; and

Further amend said bill, Page 3, Section 38.050, Line 9 of said page, by deleting the word “, **bioterrorism**” and inserting in lieu thereof the following: “**and bioterrorism protections**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Reid, **House Amendment No. 2** was adopted.

Representative Monaco assumed the Chair.

Representative Scott offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, Page 52, Section 610.021, Line 21 of said page, by deleting all of said line and inserting in lieu thereof the following:

“(18) [In preparation for and implementation of electric”; and

Further amend said bill, Page 53, Section 610.021, Lines 12 to 14 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"the state of Missouri fails to implement by December 31, 2001, electric restructuring through the adoption of statutes permitting the same in this state.] **A municipal utility receiving a public records request for information about existing or proposed security systems and structural plans of real property owned or leased by the municipal utility, the public disclosure of which would threaten public safety, shall within three business days act upon such public records request, pursuant to section 610.023. Records related to the procurement of or expenditures relating to security systems shall be open except to the extent provided in this section. This exception shall sunset on December 31, 2006.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, Page 53, Section 610.021, Line 15 of said page, by deleting the number "**2006**" on said line and inserting in lieu thereof the number "**2005**"; and

Further amend said bill, Page 53, Section 610.021, Line 16 of said page by inserting after all of said line the following:

**"A municipal utility receiving a public records request for information about existing or proposed security systems and structural plans of real property owned or leased by the municipal utility, the public disclosure of which would threaten public safety, shall within three business days act upon such public records request, pursuant to section 610.023. Records related to the procurement of or expenditures relating to security systems shall be open except to the extent provided in this section. This exception shall sunset on December 31, 2006."**; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Hosmer, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Ransdall offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, Page 55, Section 610.021, Line 6 of said page, by inserting immediately after all of said line the following:

"640.100. 1. The safe drinking water commission created in section 640.105 shall promulgate rules necessary for the implementation, administration and enforcement of sections 640.100 to 640.140 and the federal Safe Drinking Water Act as amended.

2. No standard, rule or regulation or any amendment or repeal thereof shall be adopted except after a public hearing to be held by the commission after at least thirty days' prior notice in the manner prescribed by the rulemaking provisions of chapter 536, RSMo, and an opportunity given to the public to be heard; the commission may solicit the

views, in writing, of persons who may be affected by, knowledgeable about, or interested in proposed rules and regulations, or standards. Any person heard or registered at the hearing, or making written request for notice, shall be given written notice of the action of the commission with respect to the subject thereof. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated to administer and enforce sections 640.100 to 640.140 shall become effective only if the agency has fully complied with all of the requirements of chapter 536, RSMo, including but not limited to, section 536.028, RSMo, if applicable, after June 9, 1998. All rulemaking authority delegated prior to June 9, 1998, is of no force and effect and repealed as of June 9, 1998, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated prior to June 9, 1998. If the provisions of section 536.028, RSMo, apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028, RSMo, to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this chapter or chapter 644, RSMo, shall affect the validity of any rule adopted and promulgated prior to June 9, 1998.

3. The commission shall promulgate rules and regulations for the certification of public water system operators, backflow prevention assembly testers and laboratories conducting tests pursuant to sections 640.100 to 640.140. Any person seeking to be a certified backflow prevention assembly tester shall satisfactorily complete standard, nationally recognized written and performance examinations designed to ensure that the person is competent to determine if the assembly is functioning within its design specifications. Any such state certification shall satisfy any need for local certification as a backflow prevention assembly tester. However, political subdivisions may set additional testing standards for individuals who are seeking to be certified as backflow prevention assembly testers. Notwithstanding any other provision of law to the contrary, agencies of the state or its political subdivisions shall only require carbonated beverage dispensers to conform to the backflow protection requirements established in the National Sanitation Foundation standard eighteen, and the dispensers shall be so listed by an independent testing laboratory. The commission shall promulgate rules and regulations for collection of samples and analysis of water furnished by municipalities, corporations, companies, state establishments, federal establishments or individuals to the public. The department of natural resources or the department of health and senior services shall, at the request of any supplier, make any analyses or tests required pursuant to the terms of section 192.320, RSMo, and sections 640.100 to 640.140. The department shall collect fees to cover the reasonable cost of laboratory services, both within the department of natural resources and the department of health and senior services, laboratory certification and program administration as required by sections 640.100 to 640.140. The laboratory services and program administration fees pursuant to this subsection shall not exceed two hundred dollars for a supplier supplying less than four thousand one hundred service connections, three hundred dollars for supplying less than seven thousand six hundred service connections, five hundred dollars for supplying seven thousand six hundred or more service connections, and five hundred dollars for testing surface water. Such fees shall be deposited in the safe drinking water fund as specified in section 640.110. The analysis of all drinking water required by section 192.320, RSMo, and sections 640.100 to 640.140 shall be made by the department of natural resources laboratories, department of health and senior services laboratories or laboratories certified by the department of natural resources.

4. The department of natural resources shall establish and maintain an inventory of public water supplies and conduct sanitary surveys of public water systems. Such records shall be available for public inspection during regular business hours.

5. **The department shall provide training and technical assistance to public water systems to protect against threats of tampering, sabotage, and terrorism.**

6. **For the purposes of this section, "tampering" means to knowingly introduce a contaminant or otherwise interfere with the operation of a public water system for the purpose of causing a substantial interruption or impairment of service. Tampering with a public water system shall be tampering in the first degree pursuant to section 569.080, RSMo. The department may bring a civil action in the appropriate court against any person who tampers, attempts to tamper, or makes a threat to tamper with a public water system.**

7. (1) For the purpose of complying with federal requirements for maintaining the primacy of state enforcement of the federal Safe Drinking Water Act, the department is hereby directed to request appropriations from the general revenue fund and all other appropriate sources to fund the activities of the public drinking water program and in addition to the fees authorized pursuant to subsection 3 of this section, an annual fee for each customer service connection with a public water system is hereby authorized to be imposed upon all customers of public water systems in this state. The fees collected shall not exceed the amounts specified in this subsection and the commission may set the fees, by rule,

in a lower amount by proportionally reducing all fees charged pursuant to this subsection from the specified maximum amounts. Each customer of a public water system shall pay an annual fee for each customer service connection.

(2) The annual fee per customer service connection for unmetered customers and customers with meters not greater than one inch in size, shall be based upon the number of service connections in the water system serving that customer, and shall not exceed:

1 to 1,000 connections	\$2.00
1,001 to 4,000 connections	1.84
4,001 to 7,000 connections	1.67
7,001 to 10,000 connections	1.50
10,001 to 20,000 connections	1.34
20,001 to 35,000 connections	1.17
35,001 to 50,000 connections	1.00
50,001 to 100,000 connections	.84
More than 100,000 connections	.66

(3) The annual user fee for customers having meters greater than one inch but less than or equal to two inches in size shall not exceed five dollars; for customers with meters greater than two inches but less than or equal to four inches in size shall not exceed twenty-five dollars; and for customers with meters greater than four inches in size shall not exceed fifty dollars.

(4) Customers served by multiple connections shall pay an annual user fee based on the above rates for each connection, except that no single facility served by multiple connections shall pay a total of more than five hundred dollars per year.

[6.] **8.** Fees imposed pursuant to subsection [5] **7** of this section shall become effective on August 28, 1992, and shall be collected by the public water system serving the customer. The commission shall promulgate rules and regulations on the procedures for billing, collection and delinquent payment. Fees collected by a public water system pursuant to subsection [5] **7** of this section are state fees. The annual fee shall be enumerated separately from all other charges, and shall be collected in monthly, quarterly or annual increments. Such fees shall be transferred to the director of the department of revenue at frequencies not less than quarterly. Two percent of the revenue arising from the fees shall be retained by the public water system for the purpose of reimbursing its expenses for billing and collection of such fees.

[7.] **9.** Imposition and collection of the fees authorized in subsection [5] **7** of this section shall be suspended on the first day of a calendar quarter if, during the preceding calendar quarter, the federally delegated authority granted to the safe drinking water program within the department of natural resources to administer the Safe Drinking Water Act, 42 U.S.C. 300g-2, is withdrawn. The fee shall not be reinstated until the first day of the calendar quarter following the quarter during which such delegated authority is reinstated.

[8.] **10.** Fees imposed pursuant to subsection [5] **7** of this section shall expire on September 1, [2002] **2007.**”  
; and

Further amend said bill in the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ransdall, **House Amendment No. 4** was adopted.

Representative Johnson (90) offered **House Amendment No. 5.**

Representative Gratz raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Dolan offered **House Amendment No. 5.**

Representative O'Toole raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Townley offered **House Amendment No. 5**.

Representative O'Toole raised a point of order that **House Amendment No. 5** is not properly drafted to the House Substitute.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Skaggs offered **House Amendment No. 5**.

Representative O'Toole raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Ballard offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, Page 41, Section 570.030, Line 3, by adding after said line the following: "**of explosive grade**."

On motion of Representative Ballard, **House Amendment No. 5** was adopted.

Representative Townley offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, Section 190.500, Line 6, by removing Lines 6-16 and inserting in the appropriate section:

**"(2) Any emergency proclaimed by the governor may be called for no more than ten days unless extended by resolution of the legislature. Any emergency proclaimed by resolution of the legislature, or any extension of an emergency, shall be called for no more than thirty days and such resolution shall be by a two-thirds majority. Any emergency, whether proclaimed by the governor or by the legislature, shall terminate upon the proclamation thereof by the governor, or the passage by the legislature, of a resolution terminating such emergency.";**  
and

Further amend title, enacting clause and intersectional references accordingly.

Representative Townley moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Dolan offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, Page 14, Section 407.760 and 407.762, Line 11, by deleting all of said sections.

Representative Dolan moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Willoughby offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, Page 55, Section 610.021, Line 6, by inserting immediately after said line the following:

**"650.450. 1. A death benefit of one hundred fifty thousand dollars for a public safety officer who dies in the line of duty, shall be paid in a lump sum to the following relative:**

- (a) To the surviving spouse;**
- (b) If there is no surviving spouse, to the surviving children to be shared equally;**
- (c) If there is no surviving spouse and there are no surviving children, to the parent or parents in equal shares.**

**2. A public safety officer for the purposes of this section is a firefighter, police officer, capitol police officer, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state or Missouri or a political subdivision thereof or any volunteer firefighter serving a rural, volunteer or subscription fire department or organization.**

**3. As used in this section, "dies in the line of duty" refers to a death that occurs as a direct result of a personal injury or illness resulting from any action of a public safety officer while actively performing duties as authorized or obligated by law, rule, regulation or condition of employment or service to perform.**

**4. The office of administration shall administer claims and payments pursuant to this section. Funding for death benefits pursuant to this section shall be paid from general revenue. Should the number of claims filed during any fiscal year exceed the appropriation for benefits pursuant to this section, benefits shall be paid on a pro rata basis."; and**

Further amend the title and enacting clause accordingly.

On motion of Representative Willoughby, **House Amendment No. 8** was adopted.

Representative Reid offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712 by inserting in the appropriate location the following:

"565.032. 1. In all cases of murder in the first degree for which the death penalty is authorized, the judge in a jury-waived trial shall consider, or he shall include in his instructions to the jury for it to consider:

(1) Whether a statutory aggravating circumstance or circumstances enumerated in subsection 2 of this section is established by the evidence beyond a reasonable doubt; and

(2) If a statutory aggravating circumstance or circumstances is proven beyond a reasonable doubt, whether the evidence as a whole justifies a sentence of death or a sentence of life imprisonment without eligibility for probation, parole, or release except by act of the governor. In determining the issues enumerated in subdivisions (1) and (2) of this subsection, the trier shall consider all evidence which it finds to be in aggravation or mitigation of punishment, including evidence received during the first stage of the trial and evidence supporting any of the statutory aggravating or mitigating circumstances set out in subsections 2 and 3 of this section. If the trier is a jury, it shall not be instructed upon any specific evidence which may be in aggravation or mitigation of punishment, but shall be instructed that each juror shall consider any evidence which he considers to be aggravating or mitigating.

2. Statutory aggravating circumstances for a murder in the first degree offense shall be limited to the following:

(1) The offense was committed by a person with a prior record of conviction for murder in the first degree, or the offense was committed by a person who has one or more serious assaultive criminal convictions;

(2) The murder in the first degree offense was committed while the offender was engaged in the commission or attempted commission of another unlawful homicide;

(3) The offender by his act of murder in the first degree knowingly created a great risk of death to more than one person by means of a weapon or device which would normally be hazardous to the lives of more than one person;

(4) The offender committed the offense of murder in the first degree for himself or another, for the purpose of receiving money or any other thing of monetary value from the victim of the murder or another;

(5) The murder in the first degree was committed against a judicial officer, former judicial officer, prosecuting attorney or former prosecuting attorney, circuit attorney or former circuit attorney, assistant prosecuting attorney or former assistant prosecuting attorney, assistant circuit attorney or former assistant circuit attorney, peace officer or former peace officer, elected official or former elected official during or because of the exercise of his official duty;

(6) The offender caused or directed another to commit murder in the first degree or committed murder in the first degree as an agent or employee of another person;

(7) The murder in the first degree was outrageously or wantonly vile, horrible or inhuman in that it involved torture, or depravity of mind;

(8) The murder in the first degree was committed against any peace officer, or fireman while engaged in the performance of his official duty;

(9) The murder in the first degree was committed by a person in, or who has escaped from, the lawful custody of a peace officer or place of lawful confinement;

(10) The murder in the first degree was committed for the purpose of avoiding, interfering with, or preventing a lawful arrest or custody in a place of lawful confinement, of himself or another;

(11) The murder in the first degree was committed while the defendant was engaged in the perpetration or was aiding or encouraging another person to perpetrate or attempt to perpetrate a felony of any degree of rape, sodomy, burglary, robbery, kidnapping, or any felony offense in chapter 195, RSMo;

(12) The murdered individual was a witness or potential witness in any past or pending investigation or past or pending prosecution, and was killed as a result of his status as a witness or potential witness;

(13) The murdered individual was an employee of an institution or facility of the department of corrections of this state or local correction agency and was killed in the course of performing his official duties, or the murdered individual was an inmate of such institution or facility;

(14) The murdered individual was killed as a result of the hijacking of an airplane, train, ship, bus or other public conveyance;

(15) The murder was committed for the purpose of concealing or attempting to conceal any felony offense defined in chapter 195, RSMo;

(16) The murder was committed for the purpose of causing or attempting to cause a person to refrain from initiating or aiding in the prosecution of a felony offense defined in chapter 195, RSMo;

(17) The murder was committed during the commission of a crime which is part of a pattern of criminal street gang activity as defined in section 578.421;

**(18) The murder was committed during an act of terrorism.**

3. Statutory mitigating circumstances shall include the following:

(1) The defendant has no significant history of prior criminal activity;

(2) The murder in the first degree was committed while the defendant was under the influence of extreme mental or emotional disturbance;

(3) The victim was a participant in the defendant's conduct or consented to the act;

(4) The defendant was an accomplice in the murder in the first degree committed by another person and his participation was relatively minor;

(5) The defendant acted under extreme duress or under the substantial domination of another person;

(6) The capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was substantially impaired;

(7) The age of the defendant at the time of the crime."; and

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Reid moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Bearden offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, by inserting the following in the appropriate location:

**“1. As used in this section “institution of higher education” or “institution” shall mean any flight school or any institution of post-secondary education, including a university, college, vocation and technical school and other post-secondary institutions.**

**2. Any institution of higher education which has any student who is enrolled in or attending such institution on a foreign student visa, shall track the visa status of that student and shall report any change in that student’s visa status, within forty-eight hours of becoming aware of it, to the department of immigration and naturalization services.”.**

On motion of Representative Bearden, **House Amendment No. 10** was adopted.

Representative Fraser offered **House Amendment No. 11**.

Speaker Pro Tem Abel resumed the Chair.

Representative Gambaro raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Reid offered **House Amendment No. 11**.

Representative O'Toole raised a point of order that **House Amendment No. 11** is dilatory.



The Chair ruled the point of order well taken.

Representative Phillips offered **House Amendment No. 11.**

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, by inserting in the appropriate location the following:

"44.100. 1. The emergency powers of the governor shall be as follows:

(1) The provisions of this section shall be operative only during the existence of a state of emergency (referred to in this section as "emergency"). The existence of an emergency may be proclaimed by the governor or by resolution of the legislature, if the governor in his proclamation, or the legislature in its resolution, finds that a natural or man-made disaster of major proportions has actually occurred within this state, and that the safety and welfare of the inhabitants of this state require an invocation of the provisions of this section.

(2) Any emergency, whether proclaimed by the governor or by the legislature, shall terminate upon the proclamation thereof by the governor, or the passage by the legislature, of a resolution terminating such emergency.

(3) During the period that the state of emergency exists or continues, the governor shall:

(a) Enforce and put into operation all plans, rules and regulations relating to disasters and emergency management of resources adopted under this law and to assume direct operational control of all emergency forces and volunteers in the state;

(b) Take action and give directions to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with the provisions of this law and with the orders, rules and regulations made pursuant thereof;

(c) Seize, take or requisition to the extent necessary to bring about the most effective protection of the public:

a. Any means of transportation, other than railroads and railroad equipment and fuel, and all fuel necessary for the propulsion thereof;

b. Any communication system or part thereof necessary to the prompt and efficient functioning of the emergency management of the state;

c. All stocks of fuel;

d. Facilities for housing, feeding and hospitalization of persons, including buildings and plants;

(d) Control, restrict and regulate by rationing, freezing, use of quotas, prohibitions on shipments, price fixing, allocation or other means the use, sale or distribution of food, feed, fuel, clothing and other commodities, materials, goods or services;

(e) Prescribe and direct activities in connection with but not limited to use, conservation, salvage and prevention of waste of materials, services and facilities, including production, transportation, power and communication facilities, training and supply of labor, utilization of industrial plants, health and medical care, nutrition, housing, including the use of existing and private facilities, rehabilitation, education, welfare, child care, recreation, consumer protection and other essential civil needs;

(f) To use or distribute all or any of this property among the inhabitants of the state in any area adversely affected by a natural or man-made disaster and to account to the state treasurer for any funds received thereof;

(g) To waive or suspend the operation of any statutory requirement or administrative rule regarding the licensing, certification or issuance of permits evidencing professional, mechanical or other skills;

(h) In accordance with rules or regulations, to provide that all law enforcement authorities and other emergency response workers and agencies of other states who may be within this state at the request of the governor or pursuant to state or local mutual-aid agreements or compacts shall have the same authority and possess the same powers, duties, rights, privileges and immunities as are possessed by like law enforcement authorities and emergency response workers and agencies of this state;

(i) To perform and exercise such other functions, powers and duties as may be necessary to promote and secure the safety and protection of the civilian population.

2. When any property is seized, taken or requisitioned under this section, the circuit court of the county in which the property was taken may on the application of the owner thereof or on the application of the governor in cases where numerous claims may be filed, appoint three disinterested commissioners in the manner provided by section

523.040, RSMo, to assess the damages which the owners may have sustained by reason of the appropriation thereof. Upon the application the amount due because of the seizure of property shall be determined in the manner provided in chapter 523, RSMo, for the determination of damages in case of the exercise of the power of eminent domain.

**3. Any emergency shall be limited to the least restrictive geographic area and the provisions of this section shall be enforced in any emergency in the least intrusive, disruptive, or restrictive manner to the economic and social activities of the citizens of this state.";** and

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Phillips moved that **House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Ballard	Barnett	Bartle	Bearden	Behnen
Black	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gambaro	Gaskill	Gratz	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
King	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	St. Onge
Surface	Townley	Vogel	Walton	Wilson 25
Wright				

NOES: 078

Abel	Barnitz	Barry 100	Berkowitz	Berkstresser
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	George
Graham	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Mays 50
McKenna	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walker	Ward	Whorton	Williams
Willoughby	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker	Bartelsmeyer	Bland	Kelly 144	Legan
Monaco	Richardson	Skaggs		

VACANCIES: 001

On motion of Representative O'Toole, **HS HCS SCS SB 712, as amended**, was adopted.

On motion of Representative O'Toole, **HS HCS SCS SB 712, as amended**, was read the third time and passed by the following vote:

AYES: 088

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Marsh	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Reid	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 067

Ballard	Barnett	Bartle	Bearden	Behnen
Black	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Gratz	Griesheimer	Hanaway
Hartzler	Henderson	Hendrickson	Holand	Hunter
Jetton	Kelley 47	King	Legan	Linton
Lograsso	Long	Luetkemeyer	May 149	Mayer
Miller	Moore	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer	Berkstresser	Hegeman	Hohulin	Kelly 144
Marble	Murphy			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 079

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	George	Graham
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Reynolds	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 065

Ballard	Barnett	Bartle	Bearden	Behnen
Black	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Enz	Fares	Froelker
Gambaro	Gaskill	Gratz	Griesheimer	Hanaway
Hartzler	Henderson	Hendrickson	Holand	Hunter
Jetton	Kelley 47	King	Legan	Linton
Long	Luetkemeyer	Marsh	May 149	Mayer
Miller	Myers	Naeger	Nordwald	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Bartelsmeyer	Berkstresser	Bray 84	Dolan
Haywood	Hegeman	Hickey	Hohulin	Kelly 144
Lograsso	Marble	Moore	Murphy	Ostmann
Reinhart	Rizzo	Skaggs		

VACANCIES: 001

Speaker Kreider resumed the Chair.

### THIRD READING OF SENATE BILL - APPROPRIATIONS

**SB 1281**, relating to appropriations, was again taken up by Representative Green (73).

Representative Byrd requested a division of the question on **SB 1281**.

Representative Smith assumed the Chair.

Speaker Kreider resumed the Chair.

Representative Crump offered **House Amendment No. 1 to Part I.**

*House Amendment No. 1*

AMEND Part I of Senate Bill No. 1281, Page 1, Section 1, Line 6, by inserting immediately after the word “purposes” the following:

**“provided that the transfer shall only be made if the general revenue fund cash balance falls below \$200 million and further provided that the amount transferred will be repaid with interest no later than December 31, 2003”.**

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Crump, **House Amendment No. 1** was adopted.

On motion of Representative Green (73), **Part I of SB 1281, as amended**, was adopted by the following vote:

AYES: 091

Abel	Baker	Barnitz	Barry 100	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	Murphy	Myers
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Reid	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 067

Ballard	Barnett	Bartle	Bearden	Behnen
Boatright	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hoppe
Hunter	Jetton	Kelley 47	Kelly 144	King
Lograsso	Long	Luetkemeyer	Marble	May 149
Mayer	Miller	Moore	Naeger	Nordwald

Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 004

Bartelsmeyer	Berkstresser	Linton	Marsh
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VACANCIES: 001

On motion of Representative Green (73), **Part II of SB 1281** was adopted by the following vote:

AYES: 132

Abel	Baker	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Clayton	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Robirds	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 025

Ballard	Barnett	Bartle	Boatright	Champion
Cierpiot	Crowell	Dempsey	Gaskill	Henderson
Hendrickson	Hosmer	Hunter	Jetton	Kelly 144
Lograsso	Phillips	Purgason	Quinn	Rector
Ridgeway	Roark	Ross	Townley	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer

Berkstresser

Hohulin

Linton

Marsh

VACANCIES: 001

**SB 1281, as amended**, was laid over.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SBs 1086 & 1126**: Senators Quick, Stoll, Childers, Klindt and Bentley.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 1202**: Senators Westfall, Russell, Cauthorn, Staples and Goode.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 18**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate third read and passed **HCR 25**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate Conferees be allowed to exceed the differences on **SCS HCS HB 1101 through SCS HCS HB 1112**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1121**, entitled:

An act to appropriate money for expenses, grants, refunds, distributions and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds designated herein.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 1712, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on **SS SCS HB 1712, as amended**: Senators Klarich, Gibbons, Kenney, Caskey and Schneider.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1532**, entitled:

An act to repeal section 537.053, RSMo, relating to dram shop liability, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 2008**, entitled:

An act to repeal sections 301.550, 301.560, 301.600, 301.610, 301.620, 301.630, 301.640, 301.660, 301.661, 306.400, 306.405, 306.410, 306.420, 306.430, 306.440, 365.070, 365.120, 407.750, 407.751, 407.752, 407.850, 407.860, 407.870, 407.890, 407.892, 407.893, 454.516, 700.350, 700.355, 700.360, 700.365, 700.370, 700.380 and 700.390, RSMo, and to enact in lieu thereof twenty-seven new sections relating to motor vehicle dealers, with penalty provisions.

With Senate Amendment No. 2

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 2008, Page 1, Section A, Line 11, by inserting after all of said line the following:

“301.144. 1. The director of revenue shall establish and issue special personalized license plates containing letters or numbers or combinations of letters and numbers, not to exceed six characters in length. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Any person desiring to obtain a special personalized license plate for any motor vehicle other than a commercial motor vehicle licensed for more than twelve thousand pounds shall apply to the director of revenue on a form provided by the director and shall pay a fee of fifteen dollars in addition to the regular registration fees. The director of revenue shall issue rules and regulations setting the standards and establishing the procedure for application for and issuance of the special personalized license plates and shall provide a deadline each year for the applications. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void. No two owners shall be issued identical plates. An owner shall make a new application and pay a new fee each year such owner desires to obtain or retain special personalized license plates; however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized license plates to be replaced with new plates every three years without any additional charge, above the fee established in this section, to the renewal applicant. Any person currently in possession of an approved personalized license plate shall have first priority on that particular plate for each of the following years that timely and appropriate application is made.

2. No personalized license plates shall be issued containing any letters, numbers or combination of letters and numbers which are obscene, profane, [inflammatory or contrary to public policy] **patently offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present an unreasonable danger to the health or safety of the applicant, of other users of streets and highways, or of the public in any location where the vehicle with such a plate may be found.** The director may recall any personalized license plates, including those issued prior to August 28, 1992, if the director determines that the plates are obscene, profane, [inflammatory or contrary to public policy] **patently offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present an unreasonable danger to the health or safety of the applicant, of other users of**



**streets and highways, or of the public in any location where the vehicle with such a plate may be found.** Where the director recalls such plates pursuant to the provisions of this subsection, the director shall reissue personalized license plates to the owner of the motor vehicle for which they were issued at no charge, if the new plates proposed by the owner of the motor vehicle meet the standards established pursuant to this section. **The director shall not apply the provisions of this statute in a way that violates the Missouri or United States constitutions as interpreted by the courts with controlling authority in the state of Missouri. The primary purpose of motor vehicle license plates is to identify motor vehicles. Nothing in the issuance of a personalized license plate creates a designated or limited public forum.** Nothing contained in this subsection shall be interpreted to prohibit the use of license plates, which are no longer valid for registration purposes, as collector's items or for decorative purposes.

3. The director may also establish categories of special license plates from which license plates may be issued. Any such person, other than a person exempted from the additional fee pursuant to subsection 6 of this section, that desires a personalized special license plate from any such category shall pay the same additional fee and make the same kind of application as that required by subsection 1 of this section, and the director shall issue such plates in the same manner as other personalized special license plates are issued.

4. The director of revenue shall issue to residents of the state of Missouri who hold an unrevoked and unexpired official amateur radio license issued by the Federal Communications Commission, upon application and upon payment of the additional fee specified in subsection 1 of this section, except for a person exempted from the additional fee pursuant to subsection 6 of this section, personalized special license plates bearing the official amateur radio call letters assigned by the Federal Communications Commission to the applicant. The application shall be accompanied by an affidavit stating that the applicant has an unrevoked and unexpired amateur radio license issued by the Federal Communications Commission and the official radio call letters assigned by the Federal Communications Commission to the applicant.

5. Notwithstanding any other provision to the contrary, any business that repossesses motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard displaying the word "Repossessed", provided such business pays the fees presently required of a manufacturer, distributor, or dealer in subsection 1 of section 301.253. Such placard shall bear a number and shall be in such form as the director of revenue shall determine, and shall be only used for demonstrations when displayed substantially as provided for number plates on the rear of the motor vehicle or trailer.

6. Notwithstanding any provision of law to the contrary, any person who has retired from any branch of the United States armed forces or reserves, the United States Coast Guard or reserve, the United States Merchant Marines or reserve, the National Guard, or any subdivision of any such services shall be exempt from the additional fee required for personalized license plates issued pursuant to section 301.441. As used in this subsection, "retired" means having served twenty or more years in the appropriate branch of service and having received an honorable discharge."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1101**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1101 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1101.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1101.
3. That the attached Conference Committee Substitute for House Bill No. 1101 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Dennis Bonner  
/s/ Rep. Denny Merideth  
/s/ Rep. Ken Legan  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1102**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1102 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1102.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1102.
3. That the attached Conference Committee Substitute for House Bill No. 1102 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Jim Kreider  
/s/ Rep. Chuck Graham  
/s/ Rep. Ken Legan  
/s/ Rep. Charlie Shields

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1103**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1103 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1103.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1103.
3. That the attached Conference Committee Substitute for House Bill No. 1103 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Chuck Graham  
/s/ Rep. Yvonne Wilson  
/s/ Rep. Charlie Shields  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1104**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1104 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1104.

2. That the House recede from its position on House Committee Substitute for House Bill No. 1104.
3. That the attached Conference Committee Substitute for House Bill No. 1104 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Dennis Bonner  
/s/ Rep. Ken Legan  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1105**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1105 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1105.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1105.
3. That the attached Conference Committee Substitute for House Bill No. 1105 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Yvonne Wilson  
/s/ Rep. Dennis Bonner  
/s/ Rep. Ken Legan  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1106**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1106 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1106.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1106.
3. That the attached Conference Committee Substitute for House Bill No. 1106 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Yvonne Wilson  
/s/ Rep. Bill Ransdall  
/s/ Rep. Ken Legan  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1107**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1107 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1107.

2. That the House recede from its position on House Committee Substitute for House Bill No. 1107.
3. That the attached Conference Committee Substitute for House Bill No. 1107 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Yvonne Wilson  
/s/ Rep. Bill Ransdall  
/s/ Rep. Ken Legan  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1108**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1108 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1108.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1108.
3. That the attached Conference Committee Substitute for House Bill No. 1108 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Yvonne Wilson  
/s/ Rep. Glenda Kelly  
/s/ Rep. Ken Legan  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1109**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1109 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1109.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1109.
3. That the attached Conference Committee Substitute for House Bill No. 1109 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Glenda Kelly  
/s/ Rep. Yvonne Wilson  
/s/ Rep. Ken Legan  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1110**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1110 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1110.

2. That the House recede from its position on House Committee Substitute for House Bill No. 1110.
3. That the attached Conference Committee Substitute for House Bill No. 1110 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Vicky Riback Wilson  
/s/ Rep. Marsha Campbell  
/s/ Rep. Charlie Shields  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1111**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1111 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1111.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1111.
3. That the attached Conference Committee Substitute for House Bill No. 1111 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Charles “Quincy” Troupe  
/s/ Rep. Marsha Campbell  
/s/ Rep. Pat Naeger  
/s/ Rep. Carl Bearden



**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1112**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1112 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1112.
2. That the House recede from its position on House Committee Substitute for House Bill No. 1112.
3. That the attached Conference Committee Substitute for House Bill No. 1112 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Sen. John T. Russell  
/s/ Sen. Larry Rohrbach  
/s/ Sen. Morris Westfall  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Timothy P. Green  
/s/ Rep. Dennis Bonner  
/s/ Rep. Denny Merideth  
/s/ Rep. Ken Legan  
/s/ Rep. Carl Bearden

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 795**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 795 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 795;
2. That the Senate recede from its position on Senate Bill No. 795;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 795 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Schneider  
/s/ Wayne Goode  
/s/ David Klarich  
/s/ Sarah Steelman  
/s/ Michael Gibbons

FOR THE HOUSE:

/s/ Joe Treadway  
/s/ Wes Shoemyer  
/s/ Mark Hampton  
/s/ Charles Portwood  
/s/ Robert Behnen

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
SENATE BILL NO. 1220**

The Conference Committee appointed on House Substitute for Senate Bill No. 1220, with House Amendment Nos. 1 and 2 to Part II and House Amendment No. 1 to Part IV, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on the House Substitute for Senate Bill No. 1220, with House Amendment Nos. 1 and 2 to Part II and House Amendment No. 1 to Part IV;
2. That the Senate recede from its position on Senate Bill No. 1220;
3. That the attached Conference Committee Substitute for House Substitute for Senate Bill No. 1220 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Betty Sims  
/s/ Bill Kenney  
/s/ Pat Dougherty  
/s/ Harry Wiggins  
/s/ Anita Yeckel

FOR THE HOUSE:

/s/ Jim O'Toole  
/s/ Jim Foley  
/s/ Wayne Crump  
/s/ Mark Richardson

On motion of Representative Crump, the House recessed until 9:00 p.m.

**EVENING SESSION**

The hour of recess having expired, the House was called to order by Speaker Kreider.

### THIRD READING OF SENATE BILL - APPROPRIATIONS

**SB 1281, as amended**, relating to appropriations, was again taken up by Representative Green (73).

Representative Green (73) moved that **SB 1281, as amended**, be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 094

Abel	Baker	Barnitz	Barry 100	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Koller	Lawson	Legan	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
Murphy	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Reid	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 064

Ballard	Barnett	Bartle	Bearden	Behnen
Boatright	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hunter	Jetton
Kelley 47	Kelly 144	King	Lograsso	Long
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shoemaker
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Bartelsmeyer	Berkstresser	Linton	Marsh
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VACANCIES: 001

Representative Monaco requested a verification of the roll call on the motion to third read and pass **SB 1281, as amended**.

## COMMITTEE REPORTS

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SS SCS SBs 837, 866, 972 & 990**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SS SCS SBs 923, 828, 876, 694 & 736**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 1186**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HB 1446**, entitled:

An act to repeal sections 33.103, 103.095, 194.220, 194.230, 354.085, 354.405, 354.603, 376.1209 and 376.1350, RSMo, and to enact in lieu thereof eighteen new sections relating to health insurance, with an effective date for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 18 and Senate Amendment No. 19

### *Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Pages 38-41, Section 376.1575, Line 24, by deleting all of said section; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 30, Section 376.125, Line 8, by inserting immediately after the word “shall” the following: **“inform the patient that the patient has the right to a timely referral for a second opinion by an appropriate specialist within the provider network regarding the treatment of the patient’s type of cancer.”**.

*Senate Amendment No. 3*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 25, Section 354.603, Line 2, by inserting after all of said line the following:

**“354.606. 1. This act shall be known as the “Patient Freedom of Choice Act of 2002”.**

[1.] **2.** A health carrier shall establish a mechanism by which the participating provider shall be notified on an ongoing basis of the specific covered health services for which the provider shall be responsible, including any limitations or conditions on services.

[2.] **3.** Every contract between a health carrier and a participating provider shall set forth a hold harmless provision specifying protection for enrollees. This requirement shall be met by including a provision substantially similar to the following:

“Provider agrees that in no event, including but not limited to nonpayment by the health carrier or intermediary, insolvency of the health carrier or intermediary, or breach of this agreement, shall the provider bill, charge, collect a deposit from, seek compensation, remuneration or reimbursement from, or have any recourse against an enrollee or a person, other than the health carrier or intermediary, acting on behalf of the enrollee for services provided pursuant to this agreement. This agreement shall not prohibit the provider from collecting coinsurance, deductibles or co-payments, as specifically provided in the evidence of coverage, or fees for uncovered services delivered on a fee-for-service basis to enrollees. This agreement shall not prohibit a provider, except for a health care professional who is employed full time on the staff of a health carrier and has agreed to provide service exclusively to that health carrier’s enrollees and no others, and an enrollee from agreeing to continue services solely at the expense of the enrollee, as long as the provider has clearly informed the enrollee that the health carrier may not cover or continue to cover a specific service or services. Except as provided herein, this agreement does not prohibit the provider from pursuing any available legal remedy; including, but not limited to, collecting from any insurance carrier providing coverage to a covered person.”

[3.] **4.** Every contract between a health carrier and a participating provider shall set forth that in the event of a health carrier’s or intermediary’s insolvency or other cessation of operations, covered services to enrollees shall continue through the period for which a premium has been paid to the health carrier on behalf of the enrollee or until the enrollee’s discharge from an inpatient facility, whichever time is greater.

[4.] **5.** The contract provisions satisfying the requirements of subsections [2 and] 3 **and 4** of this section shall:

- (1) Be construed in favor of the enrollee;
- (2) Survive the termination of the contract regardless of the reason for termination, including the insolvency of the health carrier; and
- (3) Supersede any oral or written contrary agreement between a provider and an enrollee or the representative of an enrollee if the contrary agreement is inconsistent with the hold harmless and continuation of covered services provisions required by subsections 2 and 3 of this section.

[5.] **6.** In no event shall a participating provider collect or attempt to collect from an enrollee any money owed to the provider by the health carrier nor shall a participating provider collect or attempt to collect from an enrollee any money in excess of the coinsurance, co-payments or deductibles. Failure of a health carrier to make timely payment of an amount owed to a provider in accordance with the provider’s contract shall constitute an unfair claims settlement practice subject to sections 375.1000 to 375.1018, RSMo.

[6.] **7.** (1) A health carrier shall develop selection standards for participating primary care professionals and each participating health care professional specialty. Such standards shall be in writing and used in determining the selection of health care professionals by the health carrier, its intermediaries and any provider networks with which it contracts. Selection criteria shall not be established in a manner that will:

- (a) Allow a health carrier to avoid a high-risk population by excluding a provider because such provider is located in a geographic area that contains a population presenting a risk of higher than average claims, losses or health services utilization; or

(b) Exclude a provider because such provider treats or specializes in treating a population presenting a risk of higher than average claims, losses or health services utilization;

**(c) Deny a health care professional the opportunity to become a participating provider if such health care professional satisfies all of the selection standards established by the health carrier as defined in section 376.1350, RSMo, and if the health care professional is willing to accept the plan's operating terms and conditions, its schedule of fees, covered expenses, utilization regulations and quality standards. This subdivision shall not apply to supplemental insurance policies, including life care contracts, accident-only policies, specified disease policies, hospital policies providing a fixed daily benefit only, Medicare supplement policies, long-term care policies, coverage issued as a supplement to liability insurance, short-term major medical policies of six months or less duration and other supplemental policies as determined by the department of insurance. This subdivision shall only apply to any county of the first classification without a charter form of government and with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and any county of the second classification with more than fifty-two thousand six hundred but less than fifty-two thousand seven hundred inhabitants; or**

**(d) Allow a health carrier, either directly or indirectly through intermediaries, to discriminate between healthcare providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among persons duly licensed to provide such services.**

(2) Paragraphs (a) [and], (b) **and** (c) of subdivision (1) of this subsection shall not be construed to prohibit a health carrier from declining to select a provider who fails to meet the other legitimate selection criteria of the health carrier developed in compliance with sections 354.600 to 354.636.

(3) The provisions of sections 354.600 to 354.636 shall not require a health carrier, its intermediaries or the provider networks with which it contracts, to employ specific providers or types of providers, or to contract with or retain more providers or types of providers than are necessary to maintain an adequate network.

[7.] **8.** A health carrier shall file its selection standards for participating providers with the director. A health carrier shall also file any subsequent changes to its selection standards with the director. The selection standards shall be made available to licensed health care providers.

[8.] **9.** A health carrier shall notify a participating provider of the provider's responsibilities with respect to the health carrier's applicable administrative policies and programs, including but not limited to payment terms, utilization review, quality assessment and improvement programs, credentialing, grievance procedures, data reporting requirements, confidentiality requirements and any applicable federal or state programs.

[9.] **10.** No contract between a health carrier and a provider for the delivery of health care service, entered into or renewed after August 28, 2001, shall require the mandatory use of a hospitalist. For purposes of this subsection, "hospitalist" means a physician who becomes a physician of record at a hospital for a patient of a participating provider and who may return the care of the patient to that participating provider at the end of hospitalization.

[10.] **11.** A health carrier shall not offer an inducement under the managed care plan to a provider to provide less than medically necessary services to an enrollee.

[11.] **12.** A health carrier shall not prohibit a participating provider from advocating in good faith on behalf of enrollees within the utilization review or grievance processes established by the health carrier or a person contracting with the health carrier.

[12.] **13.** A health carrier shall require a provider to make health records available to appropriate state and federal authorities involved in assessing the quality of care but shall not disclose individual identities, or investigating the grievances or complaints of enrollees, and to comply with the applicable state and federal laws related to the confidentiality of medical or health records.

[13.] **14.** The rights and responsibilities of a provider under a contract between a health carrier and a participating provider shall not be assigned or delegated by the provider without the prior written consent of the health carrier.

[14.] **15.** A health carrier shall be responsible for ensuring that a participating provider furnishes covered benefits to all enrollees without regard to the enrollee's enrollment in the plan as a private purchaser of the plan or as a participant in a publicly financed program of health care service.

[15.] **16.** A health carrier shall notify the participating providers of their obligations, if any, to collect applicable coinsurance, co-payments or deductibles from enrollees pursuant to the evidence of coverage, or of the providers' obligations, if any, to notify enrollees of their personal financial obligations for noncovered services.

[16.] **17.** A health carrier shall not penalize a provider because the provider, in good faith, reports to state or federal authorities any act or practice by the health carrier that may jeopardize patient health or welfare.

[17.] **18.** A health carrier shall establish a mechanism by which a participating provider may determine in a timely manner whether a person is covered by the carrier.

[18.] **19.** A health carrier shall not discriminate between health care professionals when selecting such professionals for enrollment in the network or when referring enrollees for health care services to be provided by such health care professional who is acting within the scope of his professional license.

[19.] **20.** A health carrier shall establish procedures for resolution of administrative, payment or other disputes between providers and the health carrier.

[20.] **21.** A contract between a health carrier and a provider shall not contain definitions or other provisions that conflict with the definitions or provisions contained in the managed care plan or sections 354.600 to 354.636.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 12, Section 194.220, Line 5 of said page, by inserting after “gift” the following:

**“The provisions in subsection 1 of section 194.220 relating to allowing a minor who is at least sixteen years of age to effectuate a gift for any purpose specified in section 194.230 through the driver license or instruction permit application process, shall be effective July 1, 2003.”**

*Senate Amendment No. 6*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1446, Page 31, Section 376.1275, Line 13 of said page, by inserting immediately after the word “successors” the following:

**“, the College of American Pathologists, or any other national accrediting body which has requirements that are substantially equivalent to or more stringent than those of the College of American Pathologists”.**

*Senate Amendment No. 7*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 13, Section 194.230, Line 22, by inserting after all of said line the following:

“287.135. 1. The department of insurance shall establish a program whereby managed care organizations in this state shall be certified by the department for the provision of managed care services to employers who voluntarily choose to use such organizations. The department shall report to the division of workers' compensation all managed care organizations certified pursuant to the provisions of this section. The division shall maintain a registry of certified managed care organizations that can be readily accessed by employers for the provision of managed care services. For the purposes of this section, the term “managed care organizations” shall mean organizations such as preferred provider organizations, health maintenance organizations and other direct employer/provider arrangements which have been certified by the department designed to provide incentives to medical care providers to manage the cost and use of care associated with claims covered by workers' compensation insurance.

2. The director of the department of insurance shall promulgate rules which set out the approval criteria for certification of a managed care organization. Approval criteria shall take into consideration the adequacy of services that the organization will be able to offer the employer, the geographic area to be served, staff size and makeup of the organization in relation to both services offered and geographic location, access to health care providers, the adequacy of internal management and oversight, the adequacy of procedures for peer review, utilization review, and internal dispute resolution, including a method to resolve complaints by injured employees, medical providers, and insurers over the cost, necessity and appropriateness of medical services, the availability of case management services, and any other criteria as determined by the director. Thirty days prior to the annual anniversary of any current certification granted by the director, any managed care organization seeking continued certification shall file an application for recertification with the director, on a form approved by the director, accompanied by a filing fee established by the director by rule and any other materials specified by the director.

3. The director of the department of insurance shall promulgate rules which set out the criteria under which the fees charged by a managed care organization shall be reimbursed by an employer's workers' compensation insurer and which establish criteria providing for the coordination and integration between the managed care organization and the insurer of their respective internal operational systems relating to such matters as claim reporting and handling, medical case management procedures and billing. Such criteria shall require any such reimbursable fees to be reasonable in relation both to the managed care services provided and to the savings which result from those services. Such criteria shall discourage the use of fee arrangements which result in unjustified costs being billed for either medical services or managed care services. Insurers and managed care organizations shall be permitted to voluntarily negotiate and utilize alternative fee arrangements. Notwithstanding any provision of this subsection to the contrary, if an insurer and a managed care organization enter into a voluntary agreement that accomplishes the same purposes as this subsection, that insurer and that managed care organization with respect to that agreement shall not be required to meet the requirements of this subsection or regulations promulgated by the department pursuant to this subsection.

4. Any managed care organization, including any managed care organization that has been established or selected by or has contracted with a workers' compensation insurance carrier to provide managed care services to insured employers, that has previously been certified prior to August 28, 1993, by the director of the department of insurance shall be deemed to have met the criteria set forth in this section.

5. The necessity and appropriateness of medical care services recommended or provided by providers shall be subject to review by the division of workers' compensation, upon application, following a decision by the managed care organization's utilization review and dispute resolution review and appeal procedure. The decision of the managed care organization relating to payment for such medical care services shall be subject to modification by the division of workers' compensation, after mediation conference or hearing, only upon showing that it was unreasonable, arbitrary or capricious.

**6. The provisions of this section shall terminate on December 31, 2003.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 8*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 30, Section 376.1253, Line 7 of said page, by inserting before all of said line the following:

**“376.1221. 1. Every health insurer and health benefit plan, as defined in section 376.1350, offering health benefit plans that are delivered, issued for delivery, continued or renewed after January 1, 2003, shall provide coverage for hearing aids that are prescribed, fitted, and dispensed by appropriately licenced professionals to dependent children through age nineteen covered under a policy, contract, or plan.**

**2. The hearing aids covered under this section shall:**

**(1) Be an electronic wearable device designed to aid or compensate for human hearing loss and any parts, attachments, or accessories, including earmolds;**

**(2) Be of a design and circuitry to optimize audibility and listening skills in the environment commonly experienced by children; and**

**(3) Have multiple-band wide dynamic range compression and direct audio input compatibility.**

**3. The coverage provided by this section shall include coverage for replacement hearing aids for the child at least once every three years.**

**4. Hearing evaluations, hearing aids, prescriptions, fittings, and consumable supplies shall be reimbursed according to contracted fee schedule. A health insurer or health benefit plan subject to this section may limit the benefit payable for hearing aids to twelve hundred fifty dollars for each ear with a hearing loss. An insured or enrollee who selects a hearing aid that costs more than the benefit payable pursuant to this section may pay the difference between the price of the hearing aid and the benefit payable without financial or contractual penalty to the provider of the hearing aid.**

**5. Nothing in this section shall prohibit a health insurer or health benefit plan from providing coverage that is greater than or more favorable to enrollees than the coverage provided by this section.**

**6. The health care service required by this section shall not be subject to a deductible or co-payment that exceeds twenty percent of the actual covered service costs. No health insurer or health benefit plan subject to this section shall request or require hearing acuity information from or about persons applying for coverage.**



7. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance.

8. The director of the department of insurance may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 10*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 41, Section 376.1575, Line 11 of said page, by inserting after all of said line the following:

**“376.1600. Any health carrier, as defined by section 376.1350, providing group health insurance plans or group health benefits to an employer having a group of twenty-five employees or more shall, upon request by the employer or the employer’s agent of record, provide a statement of the annual claims history for each of the prior three years, or the total experience if the coverage has been in effect less than three years. The information shall be provided within thirty days of such request and shall include the total aggregate amount of claims paid and the total number of claims filed for each annual period. The information may be used by the employer or the employer’s agent of record for the sole purpose of evaluating and marketing the group insurance program. The information provided to the employer or the employer’s agent of record shall be furnished in a manner that does not individually identify an employee or an employee’s family member and shall comply with all applicable federal and state privacy laws regarding the disclosure of health records.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 11*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 10, Section 103.095, Line 26, by deleting all of said section; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 12*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 30, Section 376.1209, Line 6, by inserting after all of said line the following:

**“376.1219. 1. Each policy issued by an entity offering individual and group health insurance which provides coverage on an expense-incurred basis, individual and group health service or indemnity type contracts issued by a nonprofit corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group health arrangements to the extent not preempted by federal law, and all health care plans provided by managed health care delivery entities of any type or description, that are delivered, issued for delivery, continued or renewed in this state on or after September 1, 1997, shall provide coverage for formula and low protein modified food products recommended by a physician for the treatment of a patient with phenylketonuria or any inherited disease of amino and organic acids.**

**2. For purposes of this section, “low protein modified food products” means foods that are specifically**

**formulated to have less than one gram of protein per serving and are intended to be used under the direction of a physician for the dietary treatment of any inherited metabolic disease. Low protein modified food products do not include foods that are naturally low in protein.**

3. The health care service required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the policy, contract or plan.

[3.] 4. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, or any other supplemental policy as determined by the director of the department of insurance.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 13*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 38, Section 376.1450, Line 23 of said page, by inserting after all of said line the following:

**“630.900. 1. The director of the department of mental health, in collaboration with the departments of social services, health and senior services, elementary and secondary education, higher education, and corrections, shall design, coordinate, and implement a state suicide prevention plan using an evidence-based public health approach focused on suicide prevention.**

**2. The director shall:**

**(1) Promote the use of employee assistance and workplace programs to support employees with depression and other psychiatric illnesses and substance abuse disorders, and refer them to services. In promoting such programs, the director shall collaborate with employer and professional associations, unions, and safety councils;**

**(2) Promote the use of student assistance and educational programs to support students with depression and other psychiatric illnesses and substance abuse disorders. In promoting such programs, the director shall collaborate with educators, administrators, students and parents with emphasis on identification of the risk factors associated with suicide;**

**(3) Provide training and technical assistance to local public health and other community-based professionals to provide for integrated implementation of best practices for preventing suicides;**

**(4) Coordinate with federal, state, and local agencies to collect, analyze, and annually issue a public report on Missouri-specific data on suicide and suicidal behaviors; and**

**(5) Conduct periodic evaluations of the impact and outcomes from implementation of the state's suicide prevention plan and each of the activities specified in this section. By July 1, 2004, and each July first of even-numbered years thereafter, the director shall report the results of such evaluations to the chairs of the senate aging, families, and mental health committee and the house children, families, and health committee.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 14*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 13, Section 194.230, Line 22, by inserting after all of said line the following:

**“287.135. 1. The department of insurance shall establish a program whereby managed care organizations in this state shall be certified by the department for the provision of managed care services to employers who voluntarily choose to use such organizations. The department shall report to the division of workers' compensation all managed care organizations certified pursuant to the provisions of this section. The division shall maintain a registry of certified managed care organizations that can be readily accessed by employers for the provision of managed care services. For the purposes of this section, the term “managed care organizations” shall mean organizations such as preferred provider organizations, health maintenance organizations and other direct employer/provider arrangements which have been certified by the department designed to provide incentives to medical care providers to manage the cost and use of care associated with claims covered by workers' compensation insurance.**

2. The director of the department of insurance shall promulgate rules which set out the approval criteria for certification of a managed care organization. Approval criteria shall take into consideration the adequacy of services that the organization will be able to offer the employer, the geographic area to be served, staff size and makeup of the organization in relation to both services offered and geographic location, access to health care providers, the adequacy of internal management and oversight, the adequacy of procedures for peer review, utilization review, and internal dispute resolution, including a method to resolve complaints by injured employees, medical providers, and insurers over the cost, necessity and appropriateness of medical services, the availability of case management services, and any other criteria as determined by the director. Thirty days prior to the annual anniversary of any current certification granted by the director, any managed care organization seeking continued certification shall file an application for recertification with the director, on a form approved by the director, accompanied by a filing fee established by the director by rule and any other materials specified by the director.

3. [The director of the department of insurance shall promulgate rules which set out the criteria under which] The fees charged by a managed care organization shall be reimbursed by an employer's workers' compensation insurer [and which]. **The director of the department of insurance shall establish criteria providing for the coordination and integration between the managed care organization and the insurer of their respective internal operational systems relating to such matters as claim reporting and handling, medical case management procedures and billing. Such criteria shall require any such reimbursable fees to be reasonable in relation both to the managed care services provided and to the savings which result from those services. Such criteria shall discourage the use of fee arrangements which result in unjustified costs being billed for either medical services or managed care services. Insurers and managed care organizations shall be permitted to voluntarily negotiate and utilize alternative fee arrangements. Notwithstanding any provision of this subsection to the contrary, if an insurer and a managed care organization enter into a voluntary agreement that accomplishes the same purposes as this subsection, that insurer and that managed care organization with respect to that agreement shall not be required to meet the requirements of this subsection or regulations promulgated by the department pursuant to this subsection. The fact that an insurer enters into a voluntary agreement with one or more managed care organizations shall not exempt such insurer from the requirements of this subsection or regulations promulgated thereto regarding other managed care organizations for which the insurer has no such voluntary agreements but with which employers insured by such insurer have contracted. The insurer shall comply with the requirements of this subsection and all regulations promulgated thereto, including requirements concerning the reimbursement of such organizations, in regards to such other managed care organizations.**

4. Any managed care organization, including any managed care organization that has been established or selected by or has contracted with a workers' compensation insurance carrier to provide managed care services to insured employers, that has previously been certified prior to August 28, 1993, by the director of the department of insurance shall be deemed to have met the criteria set forth in this section.

5. The necessity and appropriateness of medical care services recommended or provided by providers shall be subject to review by the division of workers' compensation, upon application, following a decision by the managed care organization's utilization review and dispute resolution review and appeal procedure. The decision of the managed care organization relating to payment for such medical care services shall be subject to modification by the division of workers' compensation, after mediation conference or hearing, only upon showing that it was unreasonable, arbitrary or capricious.

287.140. 1. In addition to all other compensation, the employee shall receive and the employer shall provide such medical, surgical, chiropractic, and hospital treatment, including nursing, custodial, ambulance and medicines, as may reasonably be required after the injury or disability, to cure and relieve from the effects of the injury. If the employee desires, [he] **the employee** shall have the right to select his **or her** own physician, surgeon, or other such requirement at [his] **the employee's** own expense. Where the requirements are furnished by a public hospital or other institution, payment therefor shall be made to the proper authorities. Regardless of whether the health care provider is selected by the employer or is selected by the employee at the employee's expense, the health care provider shall have the affirmative duty to communicate fully with the employee regarding the nature of the employee's injury and recommended treatment exclusive of any evaluation for a permanent disability rating. Failure to perform such duty to communicate shall constitute a disciplinary violation by the provider subject to the provisions of chapter 620, RSMo. When an employee is required to submit to medical examinations or necessary medical treatment at a place outside of the local or metropolitan area from the place of injury or the place of [his] **the employee's** residence, the employer or its insurer shall advance or reimburse the employee for all necessary and reasonable expenses; except that an injured employee who resides outside the state of Missouri and who is employed by an employer located in Missouri shall have the option of selecting the location of services provided in this section either at a location within one hundred miles of the injured

employee's residence, place of injury or place of hire by the employer. The choice of provider within the location selected shall continue to be made by the employer. In case of a medical examination if a dispute arises as to what expenses shall be paid by the employer, the matter shall be presented to the legal advisor, the administrative law judge or the commission, who shall set the sum to be paid and same shall be paid by the employer prior to the medical examination. In no event, however, shall the employer or its insurer be required to pay transportation costs for a greater distance than two hundred fifty miles each way from place of treatment. In addition to all other payments authorized or mandated under this subsection, when an employee who has returned to full-time employment is required to submit to a medical examination for the purpose of evaluating permanent disability, or to undergo physical rehabilitation, the employer or its insurer shall pay a proportionate weekly compensation benefit based on the provisions of section 287.180 for such wages that are lost due to time spent undergoing such medical examinations or physical rehabilitation, except that where the employee is undergoing physical rehabilitation, such proportionate weekly compensation benefit payment shall be limited to a time period of no more than twenty weeks. For purposes of this subsection only, "physical rehabilitation" shall mean the restoration of the seriously injured person as soon as possible and as nearly as possible to a condition of self-support and maintenance as an able-bodied worker. Determination as to what care and restoration constitutes physical rehabilitation shall be the sole province of the treating physician. Should the employer or its insurer contest the determination of the treating physician, then the director shall review the case at question and issue [his] a determination. Such determination by the director shall be appealable like any other finding of the director or the division. Serious injury includes, but is not limited to, quadriplegia, paraplegia, amputations of hand, arm, foot or leg, atrophy due to nerve injury or nonuse, and back injuries not amenable alone to recognized medical and surgical procedures.

2. If it be shown to the division or the commission that the requirements are being furnished in such manner that there is reasonable ground for believing that the life, health, or recovery of the employee is endangered thereby, the division or the commission may order a change in the physician, surgeon, hospital or other requirement.

3. All fees and charges under this chapter shall be fair and reasonable, shall be subject to regulation by the division or the commission, or the board of rehabilitation in rehabilitation cases. A health care provider shall not charge a fee for treatment and care which is governed by the provisions of this chapter greater than the usual and customary fee the provider receives for the same treatment or service when the payor for such treatment or service is a private individual or a private health insurance carrier. The division or the commission, or the board of rehabilitation in rehabilitation cases, shall also have jurisdiction to hear and determine all disputes as to such charges. A health care provider is bound by the determination upon the reasonableness of health care bills.

4. The division shall, by regulation, establish methods to resolve disputes concerning the reasonableness of medical charges, services, or aids. This regulation shall govern resolution of disputes between employers and medical providers over fees charged, whether or not paid, and shall be in lieu of any other administrative procedure under this chapter. The employee shall not be a party to a dispute over medical charges, nor shall the employee's recovery in any way be jeopardized because of such dispute.

5. No compensation shall be payable for the death or disability of an employee, if and insofar as the death or disability may be caused, continued or aggravated by any unreasonable refusal to submit to any medical or surgical treatment or operation, the risk of which is, in the opinion of the division or the commission, inconsiderable in view of the seriousness of the injury. If the employee dies as a result of an operation made necessary by the injury, the death shall be deemed to be caused by the injury.

6. The testimony of any physician or chiropractic physician who treated the employee shall be admissible in evidence in any proceedings for compensation under this chapter, subject to all of the provisions of section 287.210.

7. Every hospital or other person furnishing the employee with medical aid shall permit its record to be copied by and shall furnish full information to the division or the commission, the employer, the employee or [his] **the employee's** dependents and any other party to any proceedings for compensation under this chapter, and certified copies of the records shall be admissible in evidence in any such proceedings.

8. The employer may be required by the division or the commission to furnish an injured employee with artificial legs, arms, hands, surgical orthopedic joints, or eyes, or braces, as needed, for life whenever the division or the commission shall find that the injured employee may be partially or wholly relieved of the effects of a permanent injury by the use thereof. The director of the division shall establish a procedure whereby a claim for compensation may be reactivated after settlement of such claim is completed. The claim shall be reactivated only after the claimant can show good cause for the reactivation of this claim and the claim shall be made only for the payment of medical procedures involving life-threatening surgical procedures or if the claimant requires the use of a new, or the modification, alteration or exchange of an existing, prosthetic device. For the purpose of this subsection, "life threatening" shall mean a situation

or condition which, if not treated immediately, will likely result in the death of the injured worker.

9. Nothing in this chapter shall prevent an employee being provided treatment for [his] injuries by prayer or spiritual means if the employer does not object to the treatment.

10. The employer shall have the right to select the licensed treating physician, surgeon, chiropractic physician, **network of providers**, or other health care provider, **including licensed registered nurses functioning as medical case managers**; provided, however, that such physicians, surgeons, **registered nurses**, or other health care providers shall offer only those services authorized within the scope of their licenses. For the purpose of this subsection, subsection 2 of section 287.030 shall not apply.

11. Any physician or other health care provider who orders, directs or refers a patient for treatment, testing, therapy or rehabilitation at any institution or facility shall, at or prior to the time of the referral, disclose in writing if such health care provider, any of [his] **the provider's** partners or [his] **the provider's** employer has a financial interest in the institution or facility to which the patient is being referred, to the following:

- (1) The patient;
- (2) The employer of the patient with workers' compensation liability for the injury or disease being treated;
- (3) The workers' compensation insurer of such employer; and
- (4) The workers' compensation adjusting company for such insurer.

12. Violation of subsection 11 of this section is a class A misdemeanor.

13. (1) No hospital, physician or other health care provider, other than a hospital, physician or health care provider selected by the employee at [his] **the employee's** own expense pursuant to subsection 1 of this section, shall bill or attempt to collect any fee or any portion of a fee for services rendered to an employee due to a work-related injury or report to any credit reporting agency any failure of the employee to make such payment, when an injury covered by this chapter has occurred and such hospital, physician or health care provider has received actual notice given in writing by the employee, the employer or the employer's insurer. Actual notice shall be deemed received by the hospital, physician or health care provider five days after mailing by certified mail by the employer or insurer to the hospital, physician or health care provider.

(2) The notice shall include:

- (a) The name of the employer;
- (b) The name of the insurer, if known;
- (c) The name of the employee receiving the services;
- (d) The general nature of the injury, if known; and
- (e) Where a claim has been filed, the claim number, if known.

(3) When an injury is found to be noncompensable under this chapter, the hospital, physician or other health care provider shall be entitled to pursue the employee for any unpaid portion of the fee or other charges for authorized services provided to the employee. Any applicable statute of limitations for an action for such fees or other charges shall be tolled from the time notice is given to the division by a hospital, physician or other health care provider pursuant to subdivision (6) of this subsection, until a determination of noncompensability in regard to the injury which is the basis of such services is made, or in the event there is an appeal to the labor and industrial relations commission, until a decision is rendered by that commission.

(4) If a hospital, physician or other health care provider or a debt collector on behalf of such hospital, physician or other health care provider pursues any action to collect from an employee after such notice is properly given, the employee shall have a cause of action against the hospital, physician or other health care provider for actual damages sustained plus up to one thousand dollars in additional damages, costs and reasonable attorney's fees.

(5) If an employer or insurer fails to make payment for authorized services provided to the employee by a hospital, physician or other health care provider pursuant to this chapter, the hospital, physician or other health care provider may proceed pursuant to subsection 4 of this section with a dispute against the employer or insurer for any fees or other charges for services provided.

(6) A hospital, physician or other health care provider whose services have been authorized in advance by the employer or insurer may give notice to the division of any claim for fees or other charges for services provided for a work-related injury that is covered by this chapter, with copies of the notice to the employee, employer and the employer's insurer. Where such notice has been filed, the administrative law judge may order direct payment from the proceeds of any settlement or award to the hospital, physician or other health care provider for such fees as are determined by the division. The notice shall be on a form prescribed by the division.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 15*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 30, Section 376.1209, Line 6, by inserting immediately after the section the following:

**“376.1212. 1. Each entity offering individual and group health insurance policies providing coverage on an expense-incurred basis, individual and group service or indemnity type contracts issued by a nonprofit corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group arrangements to the extent not preempted by federal law, and all managed health care delivery entities of any type or description, that are delivered, issued for delivery, continued or renewed in this state on or after January 1, 2003, and providing for surgical benefits, shall provide coverage for a minimum of twenty-four hours of inpatient care following the completion of any surgical procedure, which takes three or more hours to complete, performed in a hospital as defined in section 197.020, RSMo, or any other health care facility licensed to provide post-surgical care pursuant to the provisions of chapter 197, RSMo; except that such inpatient care may be less than twenty-four hours if:**

**(1) The attending physician after consulting with the patient, or the patient's legal guardian, if the patient is a minor, agrees to such shorter inpatient care; and**

**(2) The entity providing the individual or group health insurance policy provides coverage for post-discharge care to the patient.**

**2. For the purposes of this section, "attending physician" shall include the surgeon who performed the surgery or the patient's primary care physician.**

**3. Each entity offering individual and group health insurance policies providing coverage on an expense-incurred basis, individual and group service or indemnity type contracts issued by a nonprofit corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group arrangements to the extent not preempted by federal law and all managed health care delivery entities of any type or description shall provide notice to policyholders, insured persons and participants regarding the coverage required by this section. Such notice shall be in writing and prominently positioned in the policy, certificate of coverage or summary plan description.**

**4. The health care service required by this section shall not be subject to any greater deductible or copayment than other similar health care services provided by the policy, contract or plan.**

**5. No insurer may provide financial disincentives to, deselect, terminate the services of, require additional documentation from, require additional utilization review from, reduce payments to, or otherwise penalize the attending physician in retaliation solely for ordering care consistent with the provisions of this section.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 18*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 11, Section 103.095, Line 24, by inserting after all of said line the following:

**“192.975. 1. As used in this section, the following words and phrases shall mean:**

**(1) “Body mass index” or “BMI”, the relationship between weight and height used to assess health risk related to excess weight, based on a mathematical formula that is expressed as weight in kilograms divided by height in meters squared ( $BMI = kg/m^2$ ) or weight in pounds divided by height in inches squared and multiplied by 703 ( $BMI = lbs/in^2 \times 703$ );**

**(2) “Department”, the department of health and senior services;**

**(3) “Dietary Guidelines for Americans”, the current set of recommendations of the federal government that are designed to help people choose diets that will meet nutrient requirements, promote health, support active lives and reduce chronic disease risks;**

**(4) “Nutrition education”, a planned sequential instructional program that provides knowledge and teaches skills to help students adopt and maintain lifelong healthy eating patterns;**

**(5) “Obesity”, a body mass index of more than  $30kg/m^2$  among adults and among children or a body mass index greater than the ninety-fifth percentile for age and sex in six to ten year olds;**

(6) “Overweight”, a body mass index between 25kg/m<sup>2</sup> and 29.9kg/m<sup>2</sup> among adults and children or a body mass index greater than the eighty-fifth percentile but less than the ninety-fifth percentile;

2. There is hereby created the “Missouri Commission on Prevention and Management of Obesity” within the department of health and senior services to be in existence within sixty days of the effective date of this section until August 28, 2004.

3. The functions and duties of the commission shall include, but not be limited to, the following:

(1) Collecting and analyzing data regarding the extent to which children and adults in Missouri suffer from obesity, including data already available to the department of health and senior services, the division of medical services and, where feasible, the data available to commercial insurers;

(2) Listing programs and services currently available to address the health, mental health, and social services needs of overweight children and adults;

(3) Listing funds dedicated within the state through commercial and self insurers, medicaid, and other federal and state funds to maintain such programs and services;

(4) Collecting and analyzing data to demonstrate the economic impact on the state of failure to treat obesity;

(5) Identifying cultural, environmental, and socioeconomic barriers to the prevention and management of obesity;

(6) Identifying specific recommendations that the state must implement to increase obesity prevention and management in children and adults and providing the estimated cost of implementing those recommendations.

4. The commission shall coordinate with the United States Department of Agriculture, the United States Department of Health and Human Services, including the Health Resources and Services Administration, the Centers for Medicaid and Medicare Services, and the Centers for Disease Control and Prevention, the Missouri department of elementary and secondary education, the Missouri department of social services, and the Missouri department of mental health to share resources and information in order to ensure a comprehensive approach to the prevention and treatment of obesity and obesity-related conditions.

5. The commission shall submit a report, including proposed legislation if necessary, to the governor and to the house budget committee and the senate appropriations committee, no later than August 28, 2004. The report shall include information about the economic burden of obesity, available programs and services, and the barriers to such programs and services.

6. The commission shall be composed of at a minimum, the following twenty-two members with consideration given to equal representation by ethnic groups and by geographic area:

(1) The director of the department of health and senior services;

(2) The commissioner of the department of elementary and secondary education;

(3) The director of the department of mental health;

(4) The director of the department of social services;

(5) The director of the department of insurance;

(6) The director of the department of higher education;

(7) A member of the house of representatives as appointed by the speaker of the house of representatives;

(8) A member of the senate as appointed by the president pro tem of the senate;

(9) Two public members, to be appointed by the director of the department of health and senior services;

(10) A representative of the Missouri State Medical Association;

(11) A representative of the Missouri Chapter of the American Academy of Pediatrics;

(12) A representative of the Missouri Nurses Association;

(13) Two persons from the University of Missouri-Columbia with professional knowledge and experience from the fields of medicine, nursing, or dietetics or nutrition sciences, jointly appointed by the deans of the University of Missouri Sinclair School of Nursing, the School of Medicine, and the College of Human and Environmental Sciences;

(14) A representative of the Missouri Dietetic Association;

(15) A representative of the Missouri Restaurant Association;

(16) A representative of the Food Processors' Association;

(17) A representative of the Food Manufacturers' Association;

(18) A representative of the School Food Service Association;

(19) A Missouri representative of the Association of American Medical Colleges; and

(20) A Missouri representative of the American Heart Association.

7. The commission shall have its first meeting no later than October 1, 2002. The director of the department of health and senior services shall serve as chair of the commission. The department shall establish the procedures necessary for the organization and operation of the commission. The commission shall meet and conduct business at least quarterly. Meetings of the commission shall comply with sections 610.010 to 610.030, RSMo.

8. Members of the commission shall receive no compensation.

9. The department shall establish and maintain a resource databank containing information about obesity and obesity-related subjects. Such databank shall be:

(1) Available to educational and research institutions, physicians, hospitals, policy makers, and members of the general public;

(2) Accessible through the department's web site and through printed materials. The department may assess reasonable charges for duplication or sale of materials; and

(3) Implemented by January 1, 2003.

10. The department of health and senior services shall provide technical assistance to schools and school districts to create healthy school nutrition environments. For purposes of this subsection, a healthy school nutrition environment shall be defined as one in which nutrition and physical activity are taught and supported in the classroom, the dining room, and throughout the school to provide positive messages that help students develop healthy eating and physical activity habits. A healthy school nutrition environment shall include:

(1) A commitment to nutrition and physical activity;

(2) Quality school meals that contain the required nourishment to foster learning and growth based upon the United States Department of Agriculture Dietary Guidelines for Americans;

(3) Other healthy food options that include sales of foods and beverages that are based on nutrition goals, not profit-making;

(4) Pleasant eating experiences so that children can relax, eat and socialize without feeling rushed;

(5) Nutrition education to build nutrition knowledge and skills into the curriculum to help children make healthy eating and physical activity choices; and

(6) Marketing to motivate parents, teachers, administrators, and the community to work towards a healthy school nutrition environment.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 19*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, Page 28, Section 376.429, Line 3, by inserting after said line the following:

“9. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance.”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1953**, entitled:

An act to repeal sections 190.101, 191.305, 192.707, 192.712, 192.745, 192.1078, 192.1080, 197.272, 197.450, 660.620, 660.625 and 701.302, RSMo, relating to various advisory offices of the department of health and senior services, and to enact in lieu thereof ten new sections relating to the same subject.

With Senate Amendment No. 1 and Senate Amendment No. 2



*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1953, Page 8, Section 197.450, Line 33, of said page, by inserting immediately after said line the following:

“344.060. 1. The director of the department of [social services] **health and senior services** shall appoint ten suitable persons who together with the director of the division of aging of the department of [social] **health and senior services** shall constitute the “Missouri Board of Nursing Home Administrators” which is hereby created **within the department of health and senior services** and which shall have the functions, powers and duties prescribed by sections 344.010 to 344.100.

2. In addition to the director of the division of aging or his designee the membership of the board shall consist of one licensed physician, two licensed health professionals, one person from the field of health care education, four persons who have been in general administrative charge of a licensed nursing home for a period of at least five years immediately preceding their appointment, and two public members. The public members shall be persons who are not, or never were, licensed nursing home administrators or the spouse of such persons, or persons who do not have or never have had a material, financial interest in either the providing of licensed nursing home services or in an activity or organization directly related to licensed nursing home administration. Neither the one licensed physician, the two licensed health professionals, nor the person from the health care education field shall have any financial interest in a licensed nursing home.

3. The members of the board shall be appointed for three-year terms or until their successors are appointed and qualified provided that no more than four members' terms shall expire in the same year. All members appointed prior to September 28, 1979, shall serve the term for which they were appointed. The governor shall fill any vacancies on the board [from a list of five names submitted by the director of the department of social services] **as necessary**. Appointment to fill an unexpired term shall not be considered an appointment for a full term. Board membership, continued until successors are appointed and qualified, shall not constitute an extension of the three-year term and the successors shall serve only the remainder of the term.

4. [To] Every member [appointed by the director of the department of social services, there] shall [be issued] **receive** a certificate of appointment; and every appointee, before entering upon his **or her** duties, shall take the oath of office required by article VII, section 11, of the Constitution of Missouri.

5. Any member of the board may be removed by the director of the department of [social services] **health and senior services** for misconduct, incompetency or neglect to duty after first being given an opportunity to be heard in his own behalf.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Bill No. 1953, Page 1, In the Title, Line 2, by deleting the numbers “**192.1078, 192.1080**” from said line; and further amend Pages 5-6, Sections 192.1078 and 192.1080 by deleting said sections; and further amend Section A, Lines 4, by deleting the numerals “192.1078, 192.1080”.

In which the concurrence of the House is respectfully requested.

**COMMUNICATION**

May 9, 2002

Chief Clerk Ted Wedel  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Re: House Journal of May 9, 2002

Dear Chief Clerk:

This letter is to request that today's House Journal note the time of adjournment of 10:10 p.m.

Respectfully,

/s/ Kate Hollingsworth  
State Representative

### **ADJOURNMENT**

Representative Crump moved that the House stand adjourned until 8:30 a.m., Friday, May 10, 2002.

Which motion was adopted by the following vote:

AYES: 084

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 071

Ballard	Barnett	Bartle	Bearden	Behnen
Black	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Lograsso	Long	Luetkemeyer	Marble
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bartelsmeyer  
Marsh

Berkstresser  
Van Zandt

Franklin

Lawson

Linton

VACANCIES: 001

Representative Abel requested a verification of the roll call on the motion to adjourn.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-seventh Day, Wednesday, May 8, 2002, pages 1730 and 1731, roll call, by showing Representatives Boatright, Carnahan, Cooper, Enz, Froelker, Reinhart and Robirds voting "aye" rather than "absent with leave".

Pages 1730 and 1731, roll call, by showing Representative Crowell voting "present" rather than "absent with leave".

Pages 1732 and 1733, roll call, by showing Representative Carnahan voting "aye" rather than "absent with leave".

Pages 1734 and 1735, roll call, by showing Representatives Boykins and Dolan voting "aye" rather than "absent with leave".

Pages 1735 and 1736, roll call, by showing Representatives Boykins, Sanders Brooks, Campbell, Miller and Myers voting "aye" rather than "absent with leave".

Pages 1737 and 1738, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

Pages 1737 and 1738, roll call, by showing Representative Boucher voting "no" rather than "absent with leave".

Page 1744, roll call, by showing Representatives Crawford and Kelly (144) voting "aye" rather than "absent with leave".

Pages 1753 and 1754, roll call, by showing Representatives Carnahan and Shields voting "aye" rather than "absent with leave".

Pages 1753 and 1754, roll call, by showing Representative Boykins voting "no" rather than "absent with leave".

Pages 1768 and 1769, roll call, by showing Representatives Boykins, Shields and Wright voting "aye" rather than "absent with leave".

Pages 1768 and 1769, roll call, by showing Representatives Sanders Brooks and Fraser voting "no" rather than "absent with leave".

Page 1771, roll call, by showing Representatives Campbell and Copenhaver voting "no" rather than "absent with leave".

Pages 1772 and 1773, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Pages 1772 and 1773, roll call, by showing Representatives Boykins and Campbell voting "no" rather than "absent with leave".

Page 1774, roll call, by showing Representative Copenhaver voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **MISCELLANEOUS BILLS AND RESOLUTIONS**

Friday, May 10, 2002, 8:30 a.m. Hearing Room 6.

Executive Session may follow.

Public Hearing to be held on: SJR 24

#### **PROFESSIONAL REGISTRATION AND LICENSING**

Friday, May 10, 2002, 12:30 p.m. Hearing Room 5 upon morning recess or time mentioned.

Executive Session. AMENDED NOTICE.

Public Hearing to be held on: SB 739

#### **SUBCOMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT**

Friday, May 10, 2002. Senate Committee Room 2 upon adjournment

Challenge fiscal note: SCS HB 1041.

### **HOUSE CALENDAR**

SIXTY-NINTH DAY, FRIDAY, MAY 10, 2002

#### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton
- 11 HB 1211 - Smith

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- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)
- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher
- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley
- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)
- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall
- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 2160, as amended - Britt
- 2 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 3 HB 1916 - Franklin

**HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCS HCR 35, (5-7-02, Pages 1716-1718) - Riback Wilson (25)
- 2 HCR 30, (5-7-02, Pages 1715-1716) - Boucher
- 3 HCR 40, (5-7-02, Pages 1718-1719) - Walton

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HS HB 1594 - Gratz
- 3 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 4 HS HCS HB 1231 - Harding

**SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

SCR 58, HCA 1 (Klarich)(4-9-02, Pages 1026-1027) - Luetkenhaus

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 831, (Loudon) - Gambaro

**SENATE BILLS FOR THIRD READING**

- 1 HCS SS SCS SB 675, E.C.(Yeckel) - Seigfreid
- 2 SCS SB 915, 710 & 907, (Westfall) - Koller
- 3 HCS SCS SB 894, 975 & 927, E.C. (Kinder) (Fiscal Review 5-6-02) - O'Toole
- 4 HCS SB 856, (Russell) (Fiscal Review 5-6-02) - Rizzo
- 5 HCS SS SCS SB 670 & 684, (Sims) (Fiscal Review 5-8-02) - Harlan
- 6 HCS SB 1039, (DePasco) - Curls
- 7 HCS SCS SB 1061 & 1062, (Rohrbach) - Harlan
- 8 HCS SCS SB 722, (Bentley) - Relford
- 9 SB 1143, (Jacob) - Monaco
- 10 SB 859, (Russell) - Ransdall
- 11 HCS SCS SB 680, E.C. (Bland) - Barry
- 12 HCS SB 718, (House) - Berkowitz
- 13 SCS SB 1266, (Kenney) - Hoppe
- 14 SB 1011, (Caskey) - Monaco
- 15 HCS SCS SB 892, (Kenney) - O'Connor
- 16 HCS SS SCS SB 931, (Klarich) - Monaco
- 17 HCS SS SCS SB 837, 866, 972 & 990, (Cauthorn) - Berkowitz
- 18 HCS SB 1186, (Kenney) - Hoppe
- 19 HCS SS SCS SB 923, 828, 876, 694 & 736, E.C.(Sims) - Barry

**SENATE BILL FOR THIRD READING - INFORMAL**

HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith

## **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1701 - Luetkenhaus
- 2 SCS HB 1811 - Gambaro
- 3 SCS HB 1093,1094,1159,1204,1242,1272,1391,1397,1411,1624,  
1632,1714,1755,1778,1779,1852,1862,2025 & 2123, as amended - Relford
- 4 SS SCS HCS HB 1443 - Barry
- 5 SCS HB 1121 - Green (73)
- 6 SS SCS HB 2008, as amended - O'Connor
- 7 SCS HS HCS HB 1532 - Hoppe
- 8 SS#2 SCS HB 1446, as amended - Luetkenhaus
- 9 SS SCS HB 1953, as amended - VanZandt

## **BILLS IN CONFERENCE**

- 1 CCR SCS HCS HB 1101 - Green (73)
- 2 CCR SCS HCS HB 1102, as amended - Graham
- 3 CCR SCS HCS HB 1103, as amended - Graham
- 4 CCR SCS HCS HB 1104, as amended - Bray
- 5 CCR SCS HCS HB 1105 - Bonner
- 6 CCR SCS HCS HB 1106 - Ransdall
- 7 CCR SCS HCS HB 1107, as amended - Ransdall
- 8 CCR SCS HCS HB 1108 - Kelly (27)
- 9 CCR SCS HCS HB 1109 - Kelly (27)
- 10 CCR SCS HCS HB 1110 - Riback Wilson (25)
- 11 CCR SCS HCS HB 1111, as amended - Troupe
- 12 CCR SCS HCS HB 1112 - Bonner
- 13 SCS HB 2120 - Ridgeway
- 14 HS HCS SS SB 1248, as amended - Foley
- 15 HCS SB 758 - Hosmer
- 16 CCR HCS SB 795 - Treadway
- 17 HCS SCS SB 1086 & 1126 - Hoppe
- 18 SCS HB 1313 - Burton
- 19 CCR HS SB 1220, as amended - O'Toole
- 20 HCS SCS SB 1202, E.C. - Koller
- 21 SS SCS HB 1712, as amended - Monaco

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SIXTY-NINTH DAY, FRIDAY, MAY 10, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Almighty God, guide and direct both houses of our legislature in these last days of this session. Bring healing to those fissures dividing these two crucial bodies of state, our Senate and our House of Representatives, so that progress may be made. Somehow heal the division in this House, which broke open so forcefully yesterday.

Much needs to be done, not to feed the egos of our legislators, but rather that the minds, bodies, and hearts of our people are fed. As votes are cast this day and over the next week, may our representatives imagine, not numbers, but the faces of the people behind the votes, the people whose lives will be impacted by the results.

Give these good men and women, our elected representatives strength, courage, and wisdom today, and a restful and re-creating weekend tomorrow and Sunday. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: David Prater, Jamie Richey and Haley Lewis.

The Journal of the sixty-eighth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1943

and

House Resolution No. 1944 - Representative Relford

House Resolution No. 1945

and

House Resolution No. 1946 - Representative Smith

House Resolution No. 1947 - Representative Hegeman

House Resolution No. 1948 - Representative Jolly

House Resolution No. 1949 - Representative Ridgeway

House Resolution No. 1950

through

House Resolution No. 1952 - Representative Clayton

House Resolution No. 1953

through

House Resolution No. 1955 - Representative Copenhaver



House Resolution No. 1956 - Representative Hunter, et al  
House Resolution No. 1957  
and  
House Resolution No. 1958 - Representative Kelly (36)  
House Resolution No. 1959  
and  
House Resolution No. 1960 - Representative Thompson  
House Resolution No. 1961 - Representative Barnitz

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1811**, relating to conveyance in St. Louis City, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **SCS HB 1811** was adopted by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Daus St. Onge

PRESENT: 000

ABSENT WITH LEAVE: 010

Berkstresser	Cierpiot	Graham	Kelly 144	Kelly 27
Lograsso	Long	Murphy	Nordwald	Van Zandt

VACANCIES: 001

On motion of Representative Gambaro, **SCS HB 1811** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Surface	Thompson	Townley
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 005

Daus	Fares	Smith	St. Onge	Treadway
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PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Kelly 144	Kelly 27	Lograsso	Long
Murphy	Nordwald	Van Zandt		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HBs 1093, 1094, 1159, 1204, 1242, 1272, 1391, 1397, 1411, 1624, 1632, 1714, 1755, 1778, 1779, 1852, 1862, 2025 & 2123, as amended**, relating to special license plates, was taken up by Representative Relford.

On motion of Representative Relford, **SCS HBs 1093, 1094, 1159, 1204, 1242, 1272, 1391, 1397, 1411, 1624, 1632, 1714, 1755, 1778, 1779, 1852, 1862, 2025 & 2123, as amended**, was adopted by the following vote:

AYES: 142

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 005

Franklin	Harlan	Hohulin	Townley	Wilson 25
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PRESENT: 003

Copenhaver	Harding	Williams
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ABSENT WITH LEAVE: 012

Berkstresser	Byrd	Crump	Green 73	Henderson
Hickey	Kelly 144	Kelly 27	Long	Nordwald
Reinhart	Van Zandt			

VACANCIES: 001

On motion of Representative Relford, SCS HBs **1093, 1094, 1159, 1204, 1242, 1272, 1391, 1397, 1411, 1624, 1632, 1714, 1755, 1778, 1779, 1852, 1862, 2025 & 2123, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 141

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Graz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shoemaker	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Murphy	Townley	Wilson 25
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PRESENT: 003

Copenhaver	Harding	Williams
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ABSENT WITH LEAVE: 015

Baker	Berkstresser	Byrd	Crump	Franklin
Green 73	Harlan	Hickey	Kelly 144	Kelly 27
Long	Nordwald	Shields	Shoemyer	Van Zandt

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SS SCS HCS HB 1443**, relating to safe place for newborns, was taken up by Representative Barry.

On motion of Representative Barry, **SS SCS HCS HB 1443** was adopted by the following vote:

AYES: 148

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Berkstresser	Crump	Foley	Green 73
Harlan	Hohulin	Hunter	Kelly 144	Kelly 27
Long	Mays 50	Nordwald	Van Zandt	

VACANCIES: 001

On motion of Representative Barry, **SS SCS HCS HB 1443** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 36	King	Koller
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Berkstresser	Byrd	Green 73	Harlan	Kelly 144
Kelly 27	Lawson	Long	Nordwald	Van Zandt

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SS#2 SCS HB 1446, as amended**, relating to insurance, was taken up by Representative Luetkenhaus.

Representative Luetkenhaus moved that the House refuse to adopt **SS#2 SCS HB 1446, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Smith assumed the Chair.

Speaker Kreider assumed the Chair.

### THIRD READING OF HOUSE BILL

**HS HB 1594**, relating to state employee pay, was taken up by Representative Gratz.

On motion of Representative Gratz, **HS HB 1594** was read the third time and passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Carnahan	Champion	Cierpiot
Clayton	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Fraser	Froelker	Gambara	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	Naeger
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Campbell	Green 73	O'Toole
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PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Berkstresser	Bonner	Cooper	Franklin
Hollingsworth	Kelly 144	Lograsso	Lowe	Monaco
Murphy	Nordwald	Scheve	Secrest	Van Zandt

VACANCIES: 001

Speaker Kreider declared the bill passed.

### BILLS IN CONFERENCE

**CCR SCS HCS HB 1101**, relating to appropriations, was taken up by Representative Green (73).

Representative Green (73) moved that the House refuse to adopt **CCR SCS HCS HB 1101** and request the Senate to grant the House a further conference.

Representative Shields made a substitute motion for the House to take up and pass **CCR SCS HCS HB 1101**.

Representative Green (73) raised a point of order that the substitute motion is not a true substitute motion.

The Chair ruled the point of order well taken.

Representative Green (73) again moved that the House refuse to adopt **CCR SCS HCS HB 1101** and request the Senate to grant the House a further conference.

**CCR SCS HCS HB 1102, as amended**, relating to appropriations, was taken up by Representative Graham.

Representative Graham moved that the House refuse to adopt **CCR SCS HCS HB 1102, as amended**, and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 084

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	



## 1873 *Journal of the House*

NOES: 071

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	King
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	May 149	Mayer	Merideth	Miller
Moore	Myers	Naeger	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnitz	Holand	Kelly 144	Marsh	Murphy
Nordwald	Van Zandt			

VACANCIES: 001

**CCR SCS HCS HB 1103, as amended**, relating to appropriations, was taken up by Representative Graham.

Representative Graham moved that the House refuse to adopt **CCR SCS HCS HB 1103, as amended**, and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 083

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42		

NOES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	Kelley 47	King
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	May 149	Mayer	Merideth	Miller
Moore	Murphy	Myers	Naeger	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnitz	Holand	Kelly 144	Marsh	Nordwald
Van Zandt	Mr. Speaker			

VACANCIES: 001

**CCR SCS HCS HB 1104, as amended**, relating to appropriations, was taken up by Representative Bray.

Representative Bray (73) moved that the House refuse to adopt **CCR SCS HCS HB 1104, as amended**, and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 083

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambara
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

## 1875 *Journal of the House*

NOES: 068

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelley 47	King	Legan	Linton
Long	Luetkemeyer	Marble	May 149	Mayer
Merideth	Miller	Moore	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnitz	Cierpiot	Fares	Holand	Kelly 144
Lograsso	Marsh	Murphy	Nordwald	Troupe
Van Zandt				

VACANCIES: 001

**CCR SCS HCS HB 1105**, relating to appropriations, was taken up by Representative Bonner.

Representative Bonner moved that the House refuse to adopt **CCR SCS HCS HB 1105** and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 082

Abel	Barry 100	Berkowitz	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Copenhaver	Crump
Curls	Daus	Davis	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Monaco	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 065

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cooper	Crawford
Crowell	Cunningham	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hunter	Jetton
Kelley 47	King	Legan	Linton	Luetkemeyer
Marble	May 149	Mayer	Merideth	Miller
Moore	Myers	Naeger	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Barnitz	Cierpiot	Clayton	Dempsey
Hohulin	Holand	Kelly 144	Lograsso	Long
Marsh	Murphy	Nordwald	Townley	Van Zandt

VACANCIES: 001

**CCR SCS HCS HB 1106**, relating to appropriations, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to adopt **CCR SCS HCS HB 1106** and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 079

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Monaco	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Villa
Wagner	Walker	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

## 1877 *Journal of the House*

NOES: 063

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Berkstresser	Black	Boatright	Burcham	Burton
Champion	Cooper	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hunter	Jetton	Kelley 47	King
Legan	Luetkemeyer	Marble	May 149	Mayer
Merideth	Miller	Moore	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	Shoemyer	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 019

Barnitz	Behnen	Byrd	Cierpiot	Crawford
Harlan	Hohulin	Holand	Hosmer	Kelly 144
Koller	Linton	Lograsso	Long	Marsh
Murphy	Nordwald	Robirds	Van Zandt	

VACANCIES: 001

**CCR SCS HCS HB 1107, as amended**, relating to appropriations, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to adopt **CCR SCS HCS HB 1107, as amended**, and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 078

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Curls	Daus	Davis	Farnen
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Haywood	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jones	Kelly 27	Kelly 36	Koller	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Ridgeway	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Villa	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 068

Ballard	Barnett	Bartelsmeyer	Bearden	Behnen
Berkstresser	Black	Boatright	Bowman	Burcham
Burton	Byrd	Champion	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Holand
Hunter	Jetton	Jolly	Kelley 47	King
Legan	Linton	Luetkemeyer	Marble	May 149
Mayer	Merideth	Miller	Moore	Myers
Naeger	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 016

Bartle	Cierpiot	Crump	Foley	Harlan
Hohulin	Kelly 144	Lawson	Lograsso	Long
Marsh	Murphy	Nordwald	Troupe	Van Zandt
Williams				

VACANCIES: 001

Representative Scheve assumed the Chair.

**CCR SCS HCS HB 1108**, relating to appropriations, was taken up by Representative Kelly (27).

Representative Kelly (27) moved that the House refuse to adopt **CCR SCS HCS HB 1108** and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 079

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Curls	Daus	Davis
Farnen	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Haywood	Hickey	Hilgemann
Holt	Hoppe	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Monaco	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

## 1879 *Journal of the House*

NOES: 067

Barnett	Bartelsmeyer	Bearden	Behnen	Berkstresser
Black	Boatright	Burcham	Burton	Byrd
Champion	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Griesheimer	Hanaway	Hartzler	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hunter
Jetton	Kelley 47	King	Legan	Linton
Luetkemeyer	Marble	May 149	Mayer	Merideth
Miller	Moore	Myers	Naeger	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 016

Ballard	Bartle	Cierpiot	Crump	Foley
Harlan	Hollingsworth	Hosmer	Kelly 144	Lograsso
Long	Marsh	Murphy	Nordwald	Troupe
Van Zandt				

VACANCIES: 001

**CCR SCS HCS HB 1109**, relating to appropriations, was taken up by Representative Kelly (27).

Representative Kelly (27) moved that the House refuse to adopt **CCR SCS HCS HB 1109** and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 074

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Curls	Daus	Davis
Farnen	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Haywood	Hickey	Hilgemann	Holt	Hoppe
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Koller	Lawson	Liese	Lowe
Luetkenhaus	Mays 50	McKenna	Monaco	O'Connor
O'Toole	Overschmidt	Ransdall	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Villa
Wagner	Walker	Walton	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	King	Legan
Linton	Luetkemeyer	Marble	May 149	Mayer
Merideth	Miller	Moore	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Ward	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 019

Cierpiot	Crump	Foley	Franklin	Harding
Harlan	Hartzler	Hollingsworth	Hosmer	Kelly 144
Lograsso	Long	Marsh	Murphy	Nordwald
Paone	Relford	Troupe	Van Zandt	

VACANCIES: 001

**CCR SCS HCS HB 1110**, relating to appropriations, was taken up by Representative Riback Wilson (25).

Representative Riback Wilson (25) moved that the House refuse to adopt **CCR SCS HCS HB 1110** and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 077

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Haywood	Hilgemann	Hollingsworth
Holt	Hoppe	Johnson 61	Johnson 90	Jolly
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Villa	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			



## 1881 *Journal of the House*

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Boatright	Burcham	Burton
Byrd	Champion	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	King	Legan
Linton	Lograsso	Luetkemeyer	Marble	May 149
Mayer	Merideth	Miller	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Shields	Shoemaker	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Black	Cierpiot	Franklin	Harlan
Hickey	Hosmer	Jones	Kelly 144	Long
Marsh	Moore	Murphy	Nordwald	Van Zandt
Williams				

VACANCIES: 001

Speaker Kreider assumed the Chair.

**CCR SCS HCS HB 1111, as amended**, relating to appropriations, was taken up by Representative Troupe.

Representative Troupe moved that the House refuse to adopt **CCR SCS HCS HB 1111, as amended**, and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 088

Abel	Baker	Barnitz	Barry 100	Behnen
Berkowitz	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Brooks	Campbell	Carnahan
Clayton	Cooper	Copenhaver	Crump	Curls
Daus	Davis	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	Lawson	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	O'Connor	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid

Selby	Shelton	Shoemyer	Smith	Thompson
Treadway	Troupe	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 063

Barnett	Bartelsmeyer	Bartle	Bearden	Berkstresser
Black	Boatright	Burcham	Burton	Byrd
Champion	Cierpiot	Crowell	Cunningham	Dempsey
Dolan	Enz	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Hunter	Jetton	King	Legan
Linton	Lograsso	Long	Luetkemeyer	Marble
May 149	Mayer	Miller	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Britt	Crawford	Holand	Kelly 144
Koller	Marsh	Nordwald	O'Toole	Skaggs
Van Zandt				

VACANCIES: 001

Representative Scheve resumed the Chair.

**CCR SCS HCS HB 1112**, relating to appropriations, was taken up by Representative Bonner.

Representative Bonner moved that the House refuse to adopt **CCR SCS HCS HB 1112** and request the Senate to grant the House a further conference.

Which motion was adopted by the following vote:

AYES: 083

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Campbell	Carnahan	Cierpiot
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Haywood
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith

## 1883 *Journal of the House*

Thompson	Treadway	Troupe	Villa	Wagner
Walker	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 070

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cooper	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelley 47	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	May 149
Mayer	Merideth	Miller	Moore	Murphy
Myers	Naeger	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	St. Onge
Surface	Townley	Vogel	Whorton	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Crawford	Foley	Holand	Kelly 144
Marsh	Nordwald	Reinhart	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel resumed the Chair.

### THIRD READING OF SENATE BILL

**SCS SBs 915, 710 & 907**, relating to transportation funding, was taken up by Representative Koller.

Representative Koller offered **HS SCS SBs 915, 710 & 907**.

Representative Koller offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 18, Section 142.803, Line 17 of said page, by inserting after said line the following:

**"3. In addition to the tax levied and imposed pursuant to subdivision (1) of subsection 1 of this section, an additional tax of three cents per gallon is hereby levied and imposed on motor fuel used or consumed in this state. The revenue derived from the additional tax of three cents per gallon imposed pursuant to this subsection shall be distributed and used as provided in article IV, section 30(a) of the Missouri Constitution. The additional tax imposed pursuant to this subsection is imposed upon the ultimate consumer, but is to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax. The additional revenue derived from the tax imposed by this subsection shall not be part of the total state revenue within the**

meaning of article X, sections 17 and 18 of the Missouri Constitution. The expenditure of this revenue shall not be an expense of state government pursuant to article X, section 20 of the Missouri Constitution. The additional tax imposed by this section shall expire on December 31, 2022."; and

Further amend said bill, Page 21, Section 144.020, Line 23 of said page, by inserting immediately after the word "tax" the following: "**of three-fourths**"; and

Further amend said bill, Page 22, Section 144.020, Line 4 of said page, by inserting immediately after the words "equivalent to" the following: "**three-fourths of**"; and

Further amend said bill, Page 22, Section 144.020, Line 10 of said page, by inserting immediately after the word "additional" the following: "**three-fourths of**"; and

Further amend said bill, Page 22, Section 144.020, Line 13 of said page, by inserting immediately after the word "additional" the following: "**three-fourths of**"; and

Further amend said bill, Page 22, Section 144.020, Line 17 of said page, by inserting immediately after the word "additional" the following: "**three-fourths of**"; and

Further amend said bill, Page 24, Section 144.021, Line 1 of said page, by deleting the words "[four] **five**" and inserting in lieu thereof the following: "four **and three-fourths**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Koller, **House Amendment No. 1** was adopted.

Representative Smith offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 69, Section 305.706, Lines 1 through 7 of said page, by deleting said lines and inserting in lieu thereof the following:

**"grounds for denial of a permit include determination of an obstruction of navigable airspace by the FAA, violation of a federal aviation regulation, or raising of established approach or vectoring minimums. A permit may not be denied where the structure does not exceed the FAA's obstruction criteria contained in 14 C.F.R. 77.21 et seq."**

Representative Wright raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Smith moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Koller offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 35, Section 226.201, Line 16, by deleting the word “shall” and inserting in lieu thereof the word “**may**”; and

Further amend said bill, Section 226.201, Line 23, by deleting the word “shall” and inserting in lieu thereof the word “**may**”.

On motion of Representative Koller, **House Amendment No. 3** was adopted by the following vote:

AYES: 075

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hilgemann
Hollingsworth	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Koller	Liese
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Paone	Ransdall	Relford
Reynolds	Rizzo	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Villa	Wagner	Walker	Walton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 069

Barnett	Bartelsmeyer	Bartle	Behnen	Berkstresser
Black	Boatright	Burcham	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Gratz	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Holt	Hunter
Kelley 47	King	Lawson	Legan	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	Moore	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Whorton	Wright	

PRESENT: 001

Murphy

ABSENT WITH LEAVE: 017

Baker	Ballard	Bearden	Graham	Hickey
Hohulin	Hoppe	Jetton	Kelly 144	
Lowe	Marsh	Nordwald	Scheve	
Van Zandt	Ward			

VACANCIES: 001

Representative Gratz offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 39, Section 227.100, Line 21, by inserting immediately after the word “or” and before the word “arising” the word “**controversy**”.

On motion of Representative Gratz, **House Amendment No. 4** was adopted.

Representative Hollingsworth offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710, & 907, Page 41, Section 233.298, Line 12 of said page, by inserting after all of said line the following:

**"238.500. Sections 238.500 to 238.552 shall be known as the "Missouri Regional Transportation Development District Act".**

**238.502. 1. As used in sections 238.500 to 238.552, the following terms mean:**

- (1) "Board", the board of directors of a district;**
- (2) "Commission", the Missouri state highways and transportation commission;**
- (3) "District", a regional transportation development district organized pursuant to sections 238.500 to 238.552;**

**(4) "Local transportation authority", a county, city, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake, or river port, airport, railroad, light rail, or other transit improvement or service;**

**(5) "Project" includes construction, renovation, preservation, operation, or maintenance of any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bike, or pedestrian improvement, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake, or river port, airport, railroad, light rail, or other mass transit and any similar or related improvement or infrastructure.**

**2. For the purposes of article X, sections 11(c), 16, and 22 of the Constitution of Missouri, section 137.073, RSMo, and as used in sections 238.500 to 238.552, the following terms shall have the meanings given:**

- (1) "Approval of the required majority" or "direct voter approval", a simple majority;**
- (2) "Registered voters", persons qualified and registered to vote pursuant to chapter 115, RSMo.**

**238.504. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain, and operate one or more projects or to assist in such activity.**

**2. A district is a political subdivision of the state.**

**238.506. 1. Whenever the creation of a district is desired, not less than fifty registered voters from a county or city not within a county may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of any county or city not within a county within the proposed district.**

**2. Alternatively, the governing body of any county or city not within a county may pass a petition allowing voters to decide upon creation of a district. The petition shall be filed in the circuit court of any county or city not within a county within the proposed district.**

**3. The proposed district area shall be contiguous and may contain one or more counties and a city not within a county. Property separated only by public streets shall be considered contiguous.**

**4. The petition shall set forth:**

**(1) The name, voting residence, and county of residence of each individual petitioner, or shall recite that the petitioner is the governing body of that city or county acting in its official capacity;**

**(2) A specific description of the proposed district boundaries including a map illustrating such**

boundaries;

- (3) A general description of the transportation projects proposed to be undertaken by that district;
- (4) The name of the proposed district;
- (5) The number of members of the board of directors of the proposed district, which shall be three from each county or city not within a county within the proposed district;
- (6) A statement that the terms of office of initial board members shall be staggered to expire in two, four, and six years;
- (7) If the petition was filed by registered voters or by a governing body, a request that the question be submitted to the qualified voters residing within the limits of the proposed district whether they will establish a regional transportation development district for funding transportation projects;
- (8) A proposal for funding the district initially, pursuant to the authority granted in sections 238.500 to 238.552, together with a request that the funding proposal be submitted to the qualified voters residing within the limits of the proposed district.

238.508. 1. If the petition was filed by registered voters or by a governing body, the circuit clerk in whose office the petition was filed shall give notice to the public by causing one or more newspapers of general circulation serving the counties or portions thereof contained in the proposed district to publish once a week for four consecutive weeks a notice substantially in the following form:

**NOTICE OF PETITION TO SUBMIT TO A POPULAR VOTE THE CREATION AND FUNDING OF A REGIONAL TRANSPORTATION DEVELOPMENT DISTRICT**

Notice is hereby given to all persons residing in (here specifically describe the proposed district boundaries), within the state of Missouri, that a petition has been filed asking that upon voter approval, a regional transportation development district by the name of "..... Regional Transportation Development District" be formed for the purpose of funding the transportation projects. A copy of this petition is on file and available at the office of the clerk of the circuit court of .... County, located at ....., Missouri. You are notified to join in or file your own petition supporting or answer opposing the creation of the regional transportation development district and requesting a declaratory judgment, as required by law, no later than the ..... day of ....., 20... You may show cause, if any there be, why such petition is defective or proposed regional transportation development district or its funding method, as set forth in the petition, is illegal or unconstitutional and should not be submitted for voter approval at a general, primary, or special election as directed by this court.

..... Clerk of the Circuit Court of  
..... County.

2. The circuit clerk shall also submit the same notice to the commission.
3. The circuit court may also order a public hearing on the question of the creation of the proposed district, if it deems such appropriate, under such terms and conditions as it deems appropriate. If a public hearing is ordered, notice of the time, date, and place of the hearing shall also be given in the notice specified in this section

238.510. 1. If the circuit court certifies the petition for voter approval, it shall call an election pursuant to section 238.512.

2. At such election for voter approval of the qualified voters, the questions shall be submitted in substantially the following form:

Shall there be organized in (here specifically describe the proposed district boundaries), within the state of Missouri, a regional transportation development district, to be known as the "..... Regional Transportation Development District" for the purpose of funding transportation projects and to have the power to fund the proposed projects upon voter approval by any or all of the following methods: sales tax, tolls, and bonds?

3. The results of the election shall be entered upon the records of the circuit court of the county or city not within a county in which the petition was filed. Also, a certified copy thereof shall be filed with the clerk of each county or city not within a county of the proposed district, who shall cause the same to be spread upon the records of the county commission or the city not within a county. If the results show that a majority of the votes cast by the qualified voters were in favor of organizing the regional transportation development district, the circuit court having jurisdiction of the matter shall declare the district organized. If the results show that less

than a majority of the votes cast by the qualified voters were in favor of the organization of the district, the circuit court shall declare that the question has failed to pass, and the same question shall not be again submitted for voter approval for two years.

238.512. 1. Except as otherwise provided in section 238.516 with respect to the election of directors, in order to call any election required or allowed in sections 238.500 to 238.552, the circuit court shall order the clerk to cause the questions to appear on the ballot on the next regularly scheduled municipal, or state general, primary, or special election day, which date shall be the same in each county or city not within a county included within and voting upon the proposed district.

2. The results of the election shall be entered upon the records of the circuit court of the county in which the petition was filed. Also, a certified copy thereof shall be filed with the clerk of each county and city not within a county of the proposed district, who shall cause the same to be spread upon the records of the county commission and the city not within a county.

238.514. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized pursuant to sections 238.500 to 238.552, the petitioners may be reimbursed for such costs out of the revenues received by the district.

238.516. 1. At the time of the organizing election, three directors from each county or city not within a county shall be elected.

2. Candidates shall pay the sum of fifty dollars as a filing fee to the clerk of the county or city not within a county and shall file with the election authority of such county or city not within a county a statement under oath that the candidate possesses all of the qualifications set out in this section for a director. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

3. The director or directors to be elected shall be elected at large within the county or city not within a county. The candidate receiving the most votes from qualified voters shall be elected to the position having the six-year term, the second highest total votes elected to the position having the four-year term, and the third highest total votes elected to the position having a two-year term. Each initial director shall serve the term to which the director was elected, and until a successor is duly elected and qualified. Each successor director shall serve a six-year term. The directors shall nominate and elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Each director shall be a resident of the district. Directors shall be registered voters at least twenty-one years of age.

238.518. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. The board shall meet within thirty days after the election of the initial directors. The time and place of the first meeting of the board shall be designated by the court that heard the petition upon the court's own initiative or upon the petition of any interested person. At its first meeting and after each election of new board members the board shall elect a chair from its members.

3. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and may be reimbursed for actual and necessary expenditures in the performance of duties on behalf of the district.

238.520. 1. Before construction of any project to be merged into the state highways and transportation system, the district shall submit the proposed project, together with the proposed plans and specifications, to the commission for its prior approval of the project. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may approve the project subject to the district making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.



2. Before construction of any project that is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall submit the proposed project, together with proposed plans and specifications, to the local transportation authority for its prior approval. The local transportation authority may approve the project subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

238.522. 1. A district may use sales taxes, tolls, or bonds specifically authorized by sections 238.500 to 238.552 to fund a project.

2. At any time during the existence of the district the board may submit or resubmit a proposed funding method authorized by sections 238.500 to 238.552 for transportation projects to the qualified voters for approval.

3. The district may by contract with the commission agree to send to the commission any revenue received by the district from any funding method authorized by sections 238.500 to 238.552. Such revenue and interest therefrom shall be deposited by the commission pursuant to section 227.180, RSMo, and applied by the commission to project costs, including debt service, on revenue bonds, or refunding bonds issued by the commission.

4. Revenue raised by the regional transportation development district shall provide additional funding for transportation projects and purposes. The commission shall not reduce funding from any source provided to the area covered by the regional transportation development district below the amount received in the fiscal year of the district's organization except when state or federal taxes or fees are reduced, in which case the reduction must not exceed the proportion of the tax or fee reduction. The commission shall increase funding in each fiscal year to the area covered by the regional transportation development district by at least the percent growth in all funding sources. Any and all federal funds designated by federal law, regulation, or appropriation to the area covered by the regional transportation development district must be passed through to the district in full.

5. The district may by contract with a local transportation authority agree to send the local transportation authority any revenue received by the district. The local transportation authority shall deposit such revenue in a special local trust account. Such revenue and interest therefrom shall be applied by the local transportation authority to project costs.

238.524. 1. Any transportation development district which consists of one or more counties or city not within a county, may by resolution impose a regional transportation development district sales tax on all retail sales made in such regional transportation development district which are subject to taxation pursuant to sections 144.010 to 144.525, RSMo, for any transportation development purpose designated by the regional transportation development district in its ballot of submission to its qualified voters. No resolution enacted pursuant to the authority granted by this section shall be effective unless the board of directors of the regional transportation development district submits to the qualified voters of the regional transportation development district, at a municipal or state general, primary, or special election, a proposal to authorize the board of directors of the transportation development district to impose a sales tax or tolls pursuant to this section.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional transportation development district of ..... (regional transportation development district's name) impose a regional transportation development district-wide sales tax at the rate of (insert amount) for a period of .....(insert number) years from the date on which such tax is first imposed for the purpose funding transportation projects?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the regional transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of

directors of the regional transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. Within ten days after the adoption of any resolution in favor of the adoption of a regional transportation development district sales tax by the qualified voters of such regional transportation development district, the regional transportation development district shall forward to the director of revenue, by United States registered mail or certified mail, a certified copy of the resolution of its board of directors. The resolution shall reflect the effective date thereof. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of such tax.

4. On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together, and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

5. All revenue received by a regional transportation development district from the tax authorized by this section which has been designated for certain transportation purpose, less one percent to pay for the costs of collection deposited by the department of revenue in the state's general revenue fund, shall be deposited by the district in a special local trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to this section or if the tax authorized by this section is repealed pursuant to this section, all funds remaining in the special local trust fund shall continue to be used solely for such designated transportation purposes. Any funds in such special local trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other regional transportation development district funds.

6. The sales tax may be imposed at a rate of up to one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the regional transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to sections 144.010 to 144.525, RSMo, except such regional transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats, or outboard motors nor to public utilities. Any regional transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, RSMo, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525, RSMo, and the tax imposed by the resolutions as authorized by this section, plus any amounts imposed pursuant to other provisions of law.

8. (1) All applicable provisions contained in sections 144.010 to 144.525, RSMo, governing the state sales tax, sections 32.085 and 32.087, RSMo, governing local sales taxes, and section 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax imposed in this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to sections 144.010 to 144.525, RSMo, are hereby made applicable to the imposition and collection of the tax imposed in this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525, RSMo, for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the regional transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to this section.

(5) The penalties provided in section 32.057, RSMo, and sections 144.010 to 144.525, RSMo, for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

9. If any regional transportation development district repeals the tax authorized by this section, the regional transportation development district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by this section in such regional transportation development district, the director of revenue shall remit the balance in the account to the regional transportation development district and close the account of that transportation development district. The director of revenue shall notify each regional transportation development district of each instance of any amount refunded or any check redeemed from receipts due the regional transportation development district.

10. (1) No regional transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued or which have been issued by the commission to finance any project or projects.

(2) Whenever the board of directors of any regional transportation development district in which a regional transportation development sales tax has been imposed pursuant to this section receives a petition, signed by ten percent of the qualified voters of such regional transportation development district calling for an election to repeal such sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued or which have been issued by the commission to finance any project or projects, submit to the voters of such regional transportation development district a proposal to repeal the sales tax imposed pursuant to this section at the next municipal, state general, primary, or special election. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the sales tax, then the resolution imposing the sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the sales tax, then the ordinance or resolution imposing the sales tax, along with any amendments thereto, shall remain in effect.

238.526. 1. If approved by a majority of the qualified voters voting on the question in the district, the district may charge and collect tolls or fees for the use of a transportation project. The board may charge a lower toll rate or fee than that amount approved by the district voters, and may increase that lower toll rate or fee to a level not exceeding the toll or fee rate ceiling without voter approval. Toll rates or fees for the use of the same project may vary at the election of the board, depending upon the type or nature of the user, or the type or nature of the use.

2. The ballot of submission shall be substantially in the following form:

Shall the Regional Transportation Development District be authorized to charge tolls or fees in amounts not to exceed those given below:

**Maximum Toll or Fee Toll or Fee Description**

(Insert amount) (Insert a brief description of the toll or fee, distinguishing it from other tolls or fees to be charged on the same project)

(Insert amount) (Describe the next toll or fee charged)

(Etc.) (Etc.) for the purpose of providing revenue to fund a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. To construct a toll facility, a district may relocate an existing state highway or bridge, subject to approval by the commission, or an existing local public bridge, street, or road, subject to approval by the local transportation authority having control and jurisdiction over such street or road. A district shall not incorporate an existing free public bridge, street, road, or highway into a district project that will be subject to tolls.

238.528. A district may:

(1) Contract and incur liabilities appropriate to accomplish its purposes;

(2) Lease or lease-purchase any real or personal property necessary or convenient for its purposes;

(3) Borrow money for its purposes at such rates of interest as the district may determine; and

(4) Issue bonds, notes, and other obligations, and may secure any of such obligations by mortgage, pledge, assignment, or deed of trust of any or all of the property and income of the district, subject to the restrictions provided in sections 238.500 to 238.552. The district shall not mortgage, pledge, or give a deed of trust on any real property or interests which it obtained by eminent domain. The district shall not mortgage, pledge, or give a deed of trust on any real property or interests which it acquired from the state of Missouri or any agency or political subdivision thereof without the written consent of the state, agency, or political subdivision from which it obtained the property.

238.530. 1. A district may at any time authorize or issue revenue bonds for the purpose of paying all or any part of the cost of any project. Every issue of such bonds shall be payable out of the revenues of the district and may be further secured by other property of the district which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of twenty-five years, as the resolution shall specify. Such bonds shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide notwithstanding section 108.170, RSMo. The bonds may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

2. Any issue of district bonds outstanding may be refunded at any time by the district by issuing its refunding bonds in such amount as the district may deem necessary. Such bonds may not exceed the amount sufficient to refund the principal of the bonds so to be refunded together with any unpaid interest thereon and any premiums, commissions, service fees, and other expenses necessary to be paid in connection with the refunding. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the bonds being refunded or by the exchange of the refunding bonds for the bonds being refunded with the consent of the holder or holders of the bonds being refunded. Refunding bonds may be issued regardless of whether the bonds being refunded were issued in connection with the same project or a separate project and regardless of whether the bonds proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

3. If the proposed project is intended to be merged into the state highways and transportation system for future maintenance under the commission's jurisdiction, the district may contract with the commission to assist it in issuing district revenue bonds and refunding bonds. The district may also contract with the commission to issue commission revenue bonds and refunding bonds and to loan the proceeds thereof to the district. Such bonds shall be authorized by commission minute and shall be issued subject to conditions applicable to bonds issued by the district but as determined by the commission rather than the district.

4. Bonds issued pursuant to this section shall exclusively be the responsibility of the district payable solely out of district funds and property provided in sections 238.500 to 238.552 and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Neither the district nor the

commission shall be obligated to pay such bonds with any funds other than those specifically pledged to repayment of the bonds. Any bonds issued by a district or the commission shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

5. Bonds issued pursuant to this section, the interest thereon, or any proceeds from such bonds shall be exempt from taxation in the state of Missouri for all purposes except the state estate tax.

238.532. The district may:

- (1) Purchase land or receive contributions of land and cash for project right-of-way;
- (2) Limit and control access from adjacent property to a district project; and
- (3) Sell and convey excess right-of-way for fair market value to any person or entity.

238.534. 1. The district may condemn lands for a project in the name of the state of Missouri as to the necessity for the taking of the description of the parcel and the interest taken in that parcel.

2. If condemnation becomes necessary the district shall act pursuant to chapter 523, RSMo, and may condemn a fee simple or other interest in land.

3. The district may, after prior notice to the owner to enter upon private property, survey and determine the most advantageous route and design. The district shall be liable for all damages done to the property by such inspection.

4. Any person who involuntarily transfers any interest in land to a district which becomes insolvent and comes under the jurisdiction of a court may reacquire that property by paying to the district the total amount of the condemnation award for that parcel, plus statutory interest at the statutory rate from the date of taking on the amount of that award, if the project will not be completed by either the district, the commission, or a local transportation authority.

5. Whenever a district undertakes any project which results in the acquisition of real property or in any person or persons being displaced from their homes, businesses, or farms, the district shall provide relocation assistance and make relocation payments to such displaced person and do such other acts and follow such procedures as would be necessary to comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

238.536. The district may contract with:

- (1) A federal agency, a state or its agencies and political subdivisions, the commission, a local transportation authority, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity; and
- (2) The commission to transfer the project to the commission free of cost or encumbrance on such terms set forth by contract. The commission is authorized to adopt reasonable administrative rules relating to regional transportation development districts under chapter 536, RSMo;
- (3) The local transportation authority to transfer the project to the local transportation authority free of cost or encumbrance on such terms set forth by contract.

238.538. In addition to all other powers granted by sections 238.500 to 238.552, the district shall have the following general powers:

- (1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;
- (2) To fix compensation of its employees and contractors. All contracts in excess of ten thousand dollars between the district and any private person, firm, or corporation shall be competitively bid and shall be awarded to the lowest and best bidder;
- (3) To purchase any personal property necessary or convenient for its activities. All outright purchases of personal property in excess of ten thousand dollars between the district and any private person, firm, or corporation shall be competitively bid and shall be awarded to the lowest and best bidder;
- (4) To collect and disburse funds for its activities; and
- (5) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

238.540. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers, and its employees from any potential liability, and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project to obtain liability insurance having the district, its directors, and its employees as additional named insureds.

3. The district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.

238.542. The district may contract with the commission and local transportation authorities to obtain assistance in project funding, promotion, planning, design, right-of-way acquisition, relocation assistance services, construction, preservation, maintenance, and operation. The commission or any local transportation authority may charge the district a reasonable fee, not exceeding the actual cost of providing the service. The commission is authorized to adopt reasonable administrative rules relating to regional transportation development districts pursuant to chapter 536, RSMo. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

238.544. The state of Missouri, upon approval by an appropriate act of the general assembly, the commission, or a local transportation authority holding title to real estate, may give, grant, and convey to or for the use of a district such right-of-way or other easement in such real estate as may be necessary for the development of a project.

238.546. 1. For the purpose of law enforcement, all district projects to be transferred to the commission shall be treated as commission highways under chapter 43, RSMo, and all projects to be transferred to a local transportation authority shall be treated as streets or roads of that entity.

2. All laws of this state relating to maintaining, signing, damaging, and obstructing roads shall apply to district projects. The duties and powers imposed by such laws on certain officials shall devolve upon the district's engineer or other employee designated by the board. Nothing in this subsection shall be deemed to interfere with, restrict, or limit the authority of the commission to govern and control highway marking, signalization, and signing to the extent the commission is authorized by law.

3. For outdoor advertising and junkyard control purposes, a district project may be designated by the commission as a part of the state primary highway system and by a local transportation authority as a part of its street or road system.

238.548. Unless otherwise approved by contract of the district, project improvements shall not be under the control and jurisdiction of a local transportation authority while the district retains control and jurisdiction over the project. The provisions of chapter 228, RSMo, are inapplicable to transportation development districts.

238.550. The state auditor shall audit each district not less than once every three years, and may audit more frequently if the state auditor deems appropriate. The state auditor shall also audit each district before it is abolished. The costs of these audits shall be paid by the district.

238.552. 1. At such time as a district has completed its projects and has transferred ownership of the projects to the commission or other local transportation authority for maintenance, or at such time as the board determines that it is unable to complete its projects due to lack of funding or for any other reason, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the ..... Regional Transportation Development District be abolished?

2. The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court. Before submitting the question to abolish the district to a vote, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law.

3. While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

4. Upon receipt of certification by the appropriate election authorities that the majority of those voting within the district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board shall:

(1) Sell any remaining district real or personal property, and then transfer the proceeds and any other real or personal property owned by the district, including revenues due and owing the district, to the commission or any appropriate local transportation authority assuming maintenance and control of the project, for its further use and disposition;

(2) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(3) At a public meeting of the district, declare by a majority vote that the district has been abolished

effective that date; and

**(4) Cause copies of that resolution under seal to be filed with the secretary of state, the director of revenue, the commission, and with each local transportation authority affected by the district. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease.";** and

Further amend said bill, Page 86, Section D, Line 4 of said page, by inserting after all of said line the following:

"Section E. Sections 238.500, 238.502, 238.504, 238.506, 238.508, 238.510, 238.512, 238.514, 238.516, 238.518, 238.520, 238.522, 238.524, 238.526, 238.528, 238.530, 238.532, 238.534, 238.536, 238.538, 238.540, 238.542, 238.544, 238.546, 238.548, 238.550, and 238.552 of section A of this act shall become effective January 1, 2003."; and

Further amend said title, enacting clause and intersectional references accordingly.

**SCS SBs 915, 710 & 907, with House Amendment No. 5 and HS, as amended, pending,**  
was laid over.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA's 1, 2 & 3 to SB 1041** and has taken up and passed **SB 1041, as amended.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1094** and has taken up and passed **HCS SB 1094.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1102** and has taken up and passed **HCS SB 1102.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1119** and has taken up and passed **HCS SB 1119.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 1168** and has taken up and passed **SB 1168, as amended.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 1199** and has taken up and passed **SB 1199, as amended.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HBs 1141, 1400, 1645, 1745 & 2026**, entitled:

An act to amend chapters 10 and 227, RSMo, by adding thereto eight new sections relating to the designation of state entities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 73**.

SENATE CONCURRENT RESOLUTION NO. 73

WHEREAS, current studies indicate that children left at home alone and unsupervised have lower academic test scores, have higher absentee rates at school, exhibit higher levels of fear, stress, nightmares, loneliness, and boredom, are 1.7 times more likely to use alcohol, and are 1.6 times more likely to smoke cigarettes; and

WHEREAS, recent data shows that violent juvenile crime rates soar and children are most likely to be victims of a violent crime committed by a nonfamily member between the hours of 3 p.m. and 8 p.m., the hours immediately after school; and

WHEREAS, according to the National Center for Juvenile Justice, children are at greater risk of being involved in crime, substance abuse, and teenage pregnancy in the hours after school, especially between the hours of 3 p.m. and 4 p.m.; and

WHEREAS, the most common activity for children after school is watching television, resulting in an average 23 hours of television watching per week; and

WHEREAS, the parents of more than 800,000 Missouri school-age children work outside the home; and

WHEREAS, according to the estimates of the Urban Institute of the United States Census Bureau, at least 7 million and as many as 15 million "latchkey children" return to an empty house on any given afternoon; and

WHEREAS, in the United States, families worry about their children being unsafe and having too much idle, unsupervised time; and

WHEREAS, the United States Departments of Education and Justice report that children in quality after-school programs have better academic performance, school attendance, behavior, and greater expectations for the future; and

WHEREAS, children who attend high quality after-school programs have better peer relations, emotional adjustment, conflict resolution skills, grades, and conduct in school compared to their peers who are not in after-school programs; and

WHEREAS, children who attend after-school programs spend more time in learning opportunities, academic activities, and enrichment activities, and spend less time watching television than their peers; and

WHEREAS, children who attend after-school programs miss fewer days of school, have better homework completion, better school behavior, and higher test scores; and

WHEREAS, the United States Congress has recognized the beneficial impact of after-school programs to our youth, and has increased the funding of after-school programs administered by the Missouri Department of Elementary and Secondary Education; and

WHEREAS, 92% of all Americans believe there should be organized activities for all youth during after-school hours; and

WHEREAS, it is estimated that less than 25% of all school-age children attend any after-school program, leaving 75% of our youth without a safe, supportive, and enriching environment during the unsupervised hours after the formal school day ends:



NOW, THEREFORE, BE IT RESOLVED by the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, that a Joint Interim Committee on After-school Programs be created, to be comprised of three members of the Senate, appointed by the President Pro Tem of the Senate and the Senate Minority Floor Leader and three members of the House of Representatives, appointed by the Speaker of the House of Representatives and the House Minority Floor Leader; and

BE IT FURTHER RESOLVED that the committee make a comprehensive analysis of the quantity and quality of Missouri after-school programs, including the solicitation of information from appropriate state agencies, public schools, youth development organizations, law enforcement agencies and juvenile officers, youth development and education experts, and the public (including youth) regarding the status of after-school programs; and

BE IT FURTHER RESOLVED that the committee, in consultation with the Departments of Elementary and Secondary Education and Social Services, make recommendations for an efficient and effective development plan to provide the opportunity for every Missouri school-age child to access quality after-school programs and design a system to train, mentor, and support after-school programs, and thereby guarantee their sustainability; and

BE IT FURTHER RESOLVED that the committee be authorized to hold hearings as it deems advisable, and that the staffs of Senate Research, House Research, and the Committee on Legislative Research provide such legal, research, clerical, technical, and bill drafting services requested by the committee; and

BE IT FURTHER RESOLVED that the General Assembly endorses all of state government to enthusiastically encourage our citizens to engage in innovative after-school programs and activities that ensure that all Missouri school-age children are not only safe, but also productive when the school day ends; and

BE IT FURTHER RESOLVED that the committee report its recommendations and findings to the General Assembly by January 1, 2003, and the authority of such committee shall terminate on December 31, 2002, unless reauthorized.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 75**.

#### SENATE CONCURRENT RESOLUTION NO. 75

WHEREAS, Cinco de Mayo is a date of great importance for the Mexican and Chicano communities as it marks the victory of the Mexican Army over the French at the Battle of Puebla; and

WHEREAS, the victory demonstrated to Mexican citizens that they could repel superior fighting power, instilled national pride, improved the international stature of Mexican President Juarez, and discouraged further American and European invasions of Mexico and Latin America; and

WHEREAS, the day is observed by Mexican-Americans in Missouri and throughout the nation as a celebration of cultural pride and a show of respect for the rights of people everywhere to enjoy in the fruits of self determination:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate the month of May as "Hispanic Cultural Month" and urge the Governor to issue a proclamation calling upon the people of the State of Missouri to observe this month with appropriate programs, ceremonies and activities; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Governor and each member of Missouri's Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 712, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 810, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 2023**, entitled:

An act to repeal sections 162.670, 162.675, 162.961 and 162.962, RSMo, and to enact in lieu thereof four new sections relating to the appropriate educational placement of students.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1101** and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1101** and pass **CCS SCS HCS HB 1101**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1102, as amended**, and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1102, as amended**, and pass **CCS SCS HCS HB 1102**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1103, as amended**, and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1103, as amended**, and pass **CCS SCS HCS HB 1103**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1104, as amended**, and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1104, as amended**, and pass **CCS SCS HCS HB 1104**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1105** and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1105** and pass **CCS SCS HCS HB 1105**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1106** and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1106** and pass **CCS SCS HCS HB 1106**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1926**, entitled:

An act to repeal section 208.631, RSMo, and to enact in lieu thereof one new section relating to the extension of the termination date of the children's health program, with an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 3 and Senate Amendment No. 4

*Senate Amendment No. 1*

AMEND House Bill No. 1926, Page 1, Section 208.631, Line 6, by deleting the word "who" on said line and inserting in lieu thereof the following: "whose parent or guardian"; and

Further amend said bill, Page 1, Section 208.631, Line 7, by inserting immediately after the word "to" and immediately prior to the word "employer-subsidized" on said line the word "affordable"; and

Further amend said bill, Page 1, Section 208.631, Line 7, by inserting immediately after the word "coverage" on said line the words "for their children".

*Senate Amendment No. 3*

AMEND House Bill No. 1926, Page 1, Section 208.631, Line 6, by inserting after the word "age" the following: "who are emancipated and do not have access to affordable employer-subsidized health care insurance or other health care coverage or persons".

*Senate Amendment No. 4*

AMEND House Bill No. 1926, Page 2, Section 208.631, Line 10, by adding at the end of said line the following:

"[208.660. Up to ten percent of any federal funds received pursuant to the provisions of Title XXI of the Social Security Act and up to ten percent of any state funds used to match those federal funds may be used for outreach through the division of medical services for children's health programs established through sections 208.631 to 208.657. The division of medical services may contract with local public health agencies for purposes of this section. The provisions of this section shall be subject to appropriations.];" and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1107, as amended**, and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1107, as amended**, and pass **CCS SCS HCS HB 1107**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1108** and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1108** and pass **CCS SCS HCS HB 1108**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1109** and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1109** and pass **CCS SCS HCS HB 1109**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1110** and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1110** and pass **CCS SCS HCS HB 1110**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1111, as amended**, and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1111, as amended**, and pass **CCS SCS HCS HB 1111**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1112** and request the House take up and adopt the Conference Committee Report on **SCS HCS HB 1112** and pass **CCS SCS HCS HB 1112**.

### BILLS CARRYING REQUEST MESSAGES

**CCR SCS HCS HB 1101**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **CCR SCS HCS HB 1101** was adopted by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schwab	Scott

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Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Henderson	Murphy	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Cierpiot	Hohulin	Holand	Hosmer
Kelly 144	Long	Marsh	Nordwald	Richardson
Skaggs	Van Zandt			

VACANCIES: 001

On motion of Representative Green (73), **CCS SCS HCS HB 1101** was read the third time and passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 003

Henderson	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Cierpiot	Hohulin	Hosmer	Kelly 144
Long	Marsh	Nordwald	Richardson	Van Zandt

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR SCS HCS HB 1102, as amended**, relating to appropriations, was taken up by Representative Graham.

On motion of Representative Graham, **CCR SCS HCS HB 1102, as amended**, was adopted by the following vote:

AYES: 133

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Holt	Hoppe	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

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NOES: 017

Ballard	Bartle	Boatright	Burcham	Byrd
Crawford	Froelker	Griesheimer	Hanaway	Henderson
Hunter	Jetton	Linton	Murphy	Roark
St. Onge	Whorton			

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Cierpiot	Crump	Hohulin	Hollingsworth
Hosmer	Kelly 144	Marsh	Nordwald	O'Toole
Richardson	Van Zandt			

VACANCIES: 001

On motion of Representative Graham, **CCS SCS HCS HB 1102** was read the third time and passed by the following vote:

AYES: 133

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Boykins
Bray 84	Brooks	Burton	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crowell
Crump	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 017

Bartle	Boatright	Burcham	Byrd	Crawford
Cunningham	Froelker	Griesheimer	Hanaway	Henderson
Hunter	Jetton	Linton	Murphy	Roark
St. Onge	Whorton			

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bowman	Britt	Cierpiot	Hohulin
Hollingsworth	Hosmer	Kelly 144	Marsh	Nordwald
Richardson	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR SCS HCS HB 1103, as amended**, relating to appropriations, was taken up by Representative Graham.

On motion of Representative Graham, **CCR SCS HCS HB 1103, as amended**, was adopted by the following vote:

AYES: 117

Abel	Barnett	Barry 100	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bray 84	Britt	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crowell	Curls	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Hilgemann	Holand
Hollingsworth	Holt	Hosmer	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Surface	Townley
Treadway	Troupe	Vogel	Wagner	Walker
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 034

Barnitz	Bartelsmeyer	Bartle	Boatright	Bowman
Boykins	Brooks	Burcham	Byrd	Cierpiot
Crawford	Cunningham	Daus	Enz	Froelker
Gaskill	Griesheimer	Hanaway	Henderson	Hendrickson
Hickey	Hunter	Jetton	Johnson 61	O'Connor
Reid	Roark	Scott	Shelton	St. Onge
Thompson	Villa	Whorton	Williams	

PRESENT: 000



## 1905 *Journal of the House*

ABSENT WITH LEAVE: 011

Baker	Ballard	Crump	Hohulin	Hoppe
Kelly 144	Linton	Marsh	Nordwald	O'Toole
Van Zandt				

VACANCIES: 001

On motion of Representative Graham, **CCS SCS HCS HB 1103** was read the third time and passed by the following vote:

AYES: 132

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Copenhaver	Crowell
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 021

Ballard	Bartelsmeyer	Bartle	Boatright	Burcham
Byrd	Cooper	Crawford	Cunningham	Froelker
Griesheimer	Hanaway	Henderson	Hickey	Hunter
Jetton	Roark	Scott	St. Onge	Whorton
Williams				

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Crump	Hohulin	Kelly 144	Linton
Marsh	Nordwald	Thompson	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR SCS HCS HB 1104, as amended**, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **CCR SCS HCS HB 1104, as amended**, was adopted by the following vote:

AYES: 127

Abel	Ballard	Barnett	Barry 100	Bearden
Behnen	Berkowitz	Bland	Bonner	Boucher
Boykins	Bray 84	Britt	Burton	Campbell
Carnahan	Champion	Cierpiot	Copenhaver	Crowell
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 022

Barnitz	Bartelsmeyer	Bartle	Berkstresser	Black
Boatright	Burcham	Byrd	Cooper	Crawford
Cunningham	Froelker	Griesheimer	Hanaway	Henderson
Hunter	Jetton	Murphy	O'Connor	Roark
Whorton	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bowman	Brooks	Clayton	Crump
Fraser	Hohulin	Holt	Kelly 144	Linton
Marsh	Nordwald	Van Zandt		

VACANCIES: 001

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On motion of Representative Bonner, **CCS SCS HCS HB 1104** was read the third time and passed by the following vote:

AYES: 123

Abel	Barnett	Barry 100	Bearden	Behnen
Berkowitz	Bland	Bonner	Boucher	Boykins
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Cierpiot	Copenhaver	Crowell	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 36	King	Koller
Lawson	Legan	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Merideth	Monaco
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 027

Ballard	Barnitz	Bartelsmeyer	Bartle	Berkstresser
Black	Boatright	Bray 84	Burcham	Byrd
Cooper	Crawford	Cunningham	Froelker	Griesheimer
Hanaway	Henderson	Hunter	Jetton	Miller
Murphy	Purgason	Reinhart	Roark	Shoemyer
Whorton	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Bowman	Clayton	Crump	Hohulin
Kelly 144	Kelly 27	Linton	Marsh	Moore
Nordwald	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR SCS HCS HB 1105**, relating to appropriations, was taken up by Representative Bonner.

On motion of Representative Bonner, **CCR SCS HCS HB 1105** was adopted by the following vote:

AYES: 119

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crowell	Curls	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Relford	Reynolds	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 033

Ballard	Bartelsmeyer	Bartle	Boatright	Bray 84
Burcham	Byrd	Cierpiot	Cooper	Crawford
Cunningham	Daus	Enz	Froelker	Griesheimer
Hanaway	Henderson	Hunter	Jetton	Jones
Lograsso	Mayer	Murphy	Naeger	Purgason
Reid	Reinhart	Ridgeway	Roark	Smith
Whorton	Willoughby	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Crump	Hohulin	Kelly 144	Linton
Marble	Marsh	Nordwald	Richardson	Van Zandt

VACANCIES: 001

On motion of Representative Bonner, **CCS SCS HCS HB 1105** was read the third time and passed by the following vote:

AYES: 118

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Boykins	Bray 84	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Copenhaver	Crowell	Curls	Davis	Dempsey
Dolan	Fares	Farnen	Foley	Fraser

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Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Relford	Reynolds	Rizzo	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 033

Ballard	Bartelsmeyer	Bartle	Boatright	Burcham
Byrd	Cierpiot	Cooper	Crawford	Cunningham
Daus	Enz	Froelker	Griesheimer	Hanaway
Henderson	Hendrickson	Hunter	Jetton	Lograsso
Mayer	Murphy	Naeger	Purgason	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Smith	Whorton	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Bowman	Clayton	Crump	Franklin
Hohulin	Kelly 144	Linton	Marsh	Nordwald
Troupe				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR SCS HCS HB 1106**, relating to appropriations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR SCS HCS HB 1106** was adopted by the following vote:

AYES: 131

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Cooper	Copenhaver	Crowell
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Foley	Fraser	Gambaro

Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 021

Bartelsmeyer	Bartle	Boatright	Burcham	Byrd
Cierpiot	Crawford	Cunningham	Enz	Froelker
Griesheimer	Hanaway	Henderson	Hendrickson	Hunter
Jetton	Lograsso	Murphy	Ridgeway	Roark
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Clayton	Crump	Franklin	Hohulin
Kelly 144	Linton	Marsh	Nordwald	Van Zandt

VACANCIES: 001

On motion of Representative Ransdall, **CCS SCS HCS HB 1106** was read the third time and passed by the following vote:

AYES: 128

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crowell
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mays 50	McKenna	Merideth

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Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 021

Bartelsmeyer	Bartle	Boatright	Burcham	Byrd
Crawford	Cunningham	Enz	Froelker	Griesheimer
Hanaway	Henderson	Hendrickson	Hunter	Jetton
Lograsso	Mayer	Murphy	Ridgeway	Roark
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bowman	Clayton	Crump	Foley
Franklin	Hohulin	Kelly 144	Linton	Marsh
Nordwald	Ross	Van Zandt		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR SCS HCS HB 1107, as amended**, relating to appropriations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR SCS HCS HB 1107, as amended**, was adopted by the following vote:

AYES: 123

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Burton	Campbell	Carnahan	Champion	Cierpiot
Copenhaver	Crowell	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 36
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkenhaus	Marble	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Ostmann

Overschmidt	Paone	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 028

Ballard	Bartelsmeyer	Bartle	Boatright	Boykins
Brooks	Burcham	Byrd	Cooper	Crawford
Cunningham	Froelker	Griesheimer	Hanaway	Henderson
Hunter	Jetton	King	Lograsso	Luetkemeyer
Mayer	Murphy	Phillips	Reinhart	Ridgeway
Roark	Surface	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Clayton	Crump	Franklin	Hohulin
Kelly 144	Kelly 27	Linton	Marsh	Nordwald
Van Zandt				

VACANCIES: 001

On motion of Representative Ransdall, **CCS SCS HCS HB 1107** was read the third time and passed by the following vote:

AYES: 125

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Cierpiot	Copenhaver	Crowell	Crump
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Long	Lowe	Luetkenhaus
Marble	May 149	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge



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Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 028

Ballard	Bartelsmeyer	Bartle	Boatright	Burcham
Byrd	Cooper	Crawford	Cunningham	Froelker
Griesheimer	Hanaway	Henderson	Hunter	Jetton
Johnson 61	King	Lograsso	Luetkemeyer	Mayer
Murphy	Phillips	Reinhart	Ridgeway	Roark
Surface	Walton	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Clayton	Harlan	Hohulin	Kelly 144
Linton	Marsh	Nordwald	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR SCS HCS HB 1108**, relating to appropriations, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **CCR SCS HCS HB 1108** was adopted by the following vote:

AYES: 136

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Cooper
Copenhaver	Crowell	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Ostmann
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secretst
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson

Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 015

Bartelsmeyer	Bartle	Boatright	Byrd	Crawford
Cunningham	Froelker	Griesheimer	Hanaway	Henderson
Hunter	Jetton	Murphy	Roark	Surface

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Clayton	Crump	Harlan	Hohulin
Kelly 144	Linton	Marsh	Nordwald	Overschmidt
Van Zandt				

VACANCIES: 001

On motion of Representative Kelly (27), **CCS SCS HCS HB 1108** was read the third time and passed by the following vote:

AYES: 133

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Cooper
Copenhaver	Crowell	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

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NOES: 017

Bartelsmeyer	Bartle	Boatright	Byrd	Crawford
Cunningham	Fraser	Froelker	Griesheimer	Hanaway
Henderson	Hunter	Jetton	Murphy	Myers
Roark	Surface			

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Clayton	Crump	Harlan	Hohulin
Kelly 144	Linton	Marsh	Nordwald	Townley
Van Zandt	Whorton			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

**CCR SCS HCS HB 1109**, relating to appropriations, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **CCR SCS HCS HB 1109** was adopted by the following vote:

AYES: 129

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Britt
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Cooper	Copenhaver	Crowell	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 42	Mr. Speaker	

NOES: 023

Bartelsmeyer	Bartle	Boatright	Boykins	Bray 84
Brooks	Byrd	Crawford	Cunningham	Fraser
Froelker	Griesheimer	Hanaway	Henderson	Hunter
Jetton	Johnson 61	Murphy	Purgason	Roark
Troupe	Wilson 25	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Clayton	Crump	Harlan	Hohulin
Kelly 144	Linton	Marsh	Nordwald	Van Zandt

VACANCIES: 001

On motion of Representative Kelly (27), **CCS SCS HCS HB 1109** was read the third time and passed by the following vote:

AYES: 131

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burton	Campbell	Carnahan	Champion
Cierpiot	Cooper	Copenhaver	Crowell	Crump
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Naeger	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 022

Bartelsmeyer	Bartle	Black	Boatright	Bray 84
Burcham	Byrd	Crawford	Cunningham	Froelker
Griesheimer	Hanaway	Henderson	Holand	Hunter
Jetton	King	Murphy	Myers	Purgason
Roark	Wright			

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PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Clayton	Harlan	Hohulin	Kelly 144
Linton	Marsh	Nordwald	Van Zandt	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**CCR SCS HCS HB 1110**, relating to appropriations, was taken up by Representative Riback Wilson (25).

On motion of Representative Riback Wilson (25), **CCR SCS HCS HB 1110** was adopted by the following vote:

AYES: 121

Abel	Baker	Barnett	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bray 84	Britt	Burton
Campbell	Carnahan	Cierpiot	Cooper	Copenhaver
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 36	King
Koller	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	O'Connor	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Rizzo	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 025

Ballard	Barnitz	Bartelsmeyer	Bartle	Boatright
Bowman	Boykins	Burcham	Byrd	Champion
Crawford	Froelker	Griesheimer	Hanaway	Henderson
Holand	Hunter	Jetton	Kelly 27	Lawson
Lograsso	Murphy	Roark	Surface	Whorton

PRESENT: 000

ABSENT WITH LEAVE: 016

Brooks	Clayton	Dolan	Foley	Hohulin
Kelly 144	Linton	Long	Marsh	Nordwald
O'Toole	Ostmann	Richardson	Ridgeway	Scheve
Van Zandt				

VACANCIES: 001

On motion of Representative Riback Wilson (25), **CCS SCS HCS HB 1110** was read the third time and passed by the following vote:

AYES: 125

Abel	Ballard	Barnett	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Burton	Campbell	Carnahan	Cierpiot
Cooper	Copenhaver	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 36
King	Koller	Legan	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	O'Connor
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 021

Barnitz	Bartelsmeyer	Bartle	Boatright	Burcham
Byrd	Champion	Crawford	Froelker	Griesheimer
Hanaway	Henderson	Holand	Hunter	Jetton
Lawson	Murphy	O'Toole	Roark	Surface
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Brooks	Clayton	Foley	Franklin
Hartzler	Hohulin	Kelly 144	Kelly 27	Linton
Long	Marsh	Nordwald	Richardson	Ridgeway
Van Zandt				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**CCR SCS HCS HB 1111, as amended**, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **CCR SCS HCS HB 1111, as amended**, was adopted by the following vote:

AYES: 082

Abel	Barry 100	Bartle	Black	Bonner
Britt	Burcham	Burton	Campbell	Carnahan
Copenhaver	Crowell	Crump	Curls	Davis
Dempsey	Farnen	Foley	Franklin	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Harding	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Hollingsworth	Holt	Hunter
Jetton	Jolly	Kelly 27	Legan	Liese
Lograsso	Lowe	Luetkenhaus	Marble	Mayer
Mays 50	McKenna	Merideth	Miller	Myers
O'Toole	Overschmidt	Paone	Purgason	Quinn
Rector	Relford	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Selby	Shelton	Shields	Shoemyer	Skaggs
St. Onge	Surface	Townley	Treadway	Troupe
Villa	Vogel	Ward	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 070

Baker	Ballard	Barnett	Barnitz	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Bland
Boatright	Boucher	Bowman	Boykins	Bray 84
Brooks	Byrd	Champion	Cierpiot	Cooper
Crawford	Cunningham	Daus	Dolan	Enz
Fares	Fraser	Froelker	Gaskill	Griesheimer
Hampton	Hanaway	Harlan	Henderson	Hendrickson
Holand	Hoppe	Hosmer	Johnson 61	Johnson 90
Jones	Kelley 47	Kelly 36	King	Koller
Lawson	Luetkemeyer	May 149	Monaco	Moore
Murphy	Naeger	O'Connor	Ostmann	Phillips
Portwood	Ransdall	Reid	Reinhart	Reynolds
Ridgeway	Roark	Seigfreid	Thompson	Wagner
Walker	Walton	Whorton	Williams	Wilson 25

PRESENT: 002

Shoemaker	Smith
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ABSENT WITH LEAVE: 008

Clayton	Hohulin	Kelly 144	Linton	Long
Marsh	Nordwald	Van Zandt		

VACANCIES: 001

On motion of Representative Troupe, **CCS SCS HCS HB 1111** was read the third time and passed by the following vote:

AYES: 083

Abel	Barnett	Barry 100	Bearden	Black
Bonner	Britt	Burcham	Burton	Campbell
Carnahan	Copenhaver	Crowell	Crump	Davis
Dempsey	Farnen	Foley	Franklin	Fraser
Gambaro	George	Gratz	Green 15	Green 73
Hagan-Harrell	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hilgemann	Hollingsworth	Holt	Hosmer
Jetton	Jolly	Jones	Kelley 47	Kelly 27
Koller	Legan	Liese	Lowe	Luetkenhaus
Marble	Mayer	Mays 50	McKenna	Merideth
Miller	Myers	Naeger	O'Toole	Overschmidt
Paone	Quinn	Relford	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Secrest
Selby	Shelton	Shields	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Walker	Walton
Ward	Willoughby	Mr. Speaker		

NOES: 069

Baker	Ballard	Barnitz	Bartelsmeyer	Bartle
Behnen	Berkowitz	Berkstresser	Bland	Boatright
Boucher	Bowman	Boykins	Bray 84	Brooks
Byrd	Champion	Cierpiot	Cooper	Crawford
Cunningham	Curls	Daus	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hampton
Hanaway	Harlan	Henderson	Holand	Hoppe
Hunter	Johnson 61	Johnson 90	Kelly 36	King
Lawson	Lograsso	Long	Luetkemeyer	May 149
Monaco	Moore	Murphy	O'Connor	Ostmann
Phillips	Portwood	Purgason	Ransdall	Rector
Reid	Reinhart	Reynolds	Ridgeway	Roark
Scott	Seigfreid	Shoemaker	Wagner	Whorton
Williams	Wilson 25	Wilson 42	Wright	

PRESENT: 001

Smith

ABSENT WITH LEAVE: 009

Clayton	Graham	Hickey	Hohulin	Kelly 144
Linton	Marsh	Nordwald	Van Zandt	

VACANCIES: 001

Speaker Kreider declared the bill passed.

**CCR SCS HCS HB 1112**, relating to appropriations, was taken up by Representative Bonner.



On motion of Representative Bonner, **CCR SCS HCS HB 1112** was adopted by the following vote:

AYES: 118

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Cierpiot	Copenhaver	Crump	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Gambara
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Hegeman	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	Koller	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 030

Bartelsmeyer	Bartle	Boatright	Burcham	Byrd
Crawford	Crowell	Cunningham	Enz	Froelker
Gaskill	Griesheimer	Hanaway	Henderson	Hendrickson
Holand	Hunter	Jetton	King	Lograsso
Miller	Moore	Murphy	Purgason	Reynolds
Ridgeway	Roark	Townley	Whorton	Wright

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Ballard	Clayton	Cooper	Harlan
Hickey	Hohulin	Kelly 144	Lawson	Linton
Marsh	Nordwald	Van Zandt	Williams	

VACANCIES: 001

On motion of Representative Bonner, **CCS SCS HCS HB 1112** was read the third time and passed by the following vote:

AYES: 117

Abel	Ballard	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Champion	Copenhaver	Crump	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	Koller	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Richardson	Rizzo	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 033

Bartelsmeyer	Bartle	Boatright	Burcham	Byrd
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Enz	Froelker	Gaskill	Griesheimer	Hanaway
Henderson	Hendrickson	Holand	Hunter	Jetton
King	Lograsso	Miller	Moore	Murphy
Purgason	Reynolds	Ridgeway	Roark	Robirds
Townley	Whorton	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Clayton	Foley	Harlan	Hickey
Hohulin	Kelly 144	Linton	Marsh	Nordwald
Van Zandt	Williams			

VACANCIES: 001

Speaker Kreider declared the bill passed.

### APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HCS SCS SB 1202:** Representatives Koller, Hollingsworth, Hampton, Byrd and Scott

**SS SCS HB 1712:** Representatives Monaco, Johnson (90), Willoughby, Richardson and Crowell

## HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1121**, relating to appropriations, was taken up by Representative Green (73).

On motion of Representative Green (73), **SCS HB 1121** was adopted by the following vote:

AYES: 117

Abel	Barnett	Barnitz	Barry 100	Bearden
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cooper	Copenhaver	Crawford	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Mays 50
McKenna	Merideth	Monaco	Myers	Naeger
O'Connor	O'Toole	Overschmidt	Paone	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Rizzo	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 032

Ballard	Bartelsmeyer	Bartle	Behnen	Black
Boatright	Byrd	Cierpiot	Crowell	Cunningham
Froelker	Gaskill	Griesheimer	Hanaway	Henderson
Hendrickson	Hunter	Jetton	King	Lograsso
Miller	Moore	Murphy	Ostmann	Phillips
Purgason	Richardson	Ridgeway	Roark	Robirds
Williams	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Clayton	Crump	Franklin	Harlan
Hohulin	Hoppe	Kelly 144	Linton	Marsh
Nordwald	Van Zandt	Whorton		

VACANCIES: 001

On motion of Representative Green (73), **SCS HB 1121** was truly agreed to and finally passed by the following vote:

AYES: 119

Abel	Barnett	Barnitz	Barry 100	Bearden
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cooper	Copenhaver	Crawford	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Myers
Naeger	O'Connor	O'Toole	Overschmidt	Paone
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Villa
Vogel	Wagner	Walker	Walton	Ward
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 032

Ballard	Bartelsmeyer	Bartle	Behnen	Black
Boatright	Byrd	Cierpiot	Crowell	Cunningham
Froelker	Gaskill	Griesheimer	Hanaway	Henderson
Hendrickson	Hunter	Jetton	King	Lograsso
Miller	Moore	Murphy	Ostmann	Phillips
Ridgeway	Roark	Robirds	Troupe	Whorton
Williams	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Clayton	Crump	Franklin	Harlan
Hohulin	Kelly 144	Linton	Marsh	Nordwald
Van Zandt				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**SS SCS HB 2008, as amended**, relating to powersport dealers, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **SS SCS HB 2008, as amended**, was adopted by the following vote:

## 1925 *Journal of the House*

AYES: 137

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambara	Gaskill
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	Koller	Legan
Liese	Lograsso	Lowe	Luetkemeyer	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 004

King	Shoemaker	Smith	Williams
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PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Brooks	Cierpiot	Clayton	Dolan
George	Green 73	Hickey	Hohulin	Hoppe
Kelly 144	Lawson	Linton	Long	Luetkenhaus
Marble	Marsh	Nordwald	Richardson	Van Zandt
Wagner				

VACANCIES: 001

On motion of Representative O'Connor, **SS SCS HB 2008, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 127

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Britt	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cooper	Copenhaver

Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Liese	Lograsso	Lowe	Luetkemeyer	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Villa	Vogel	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wright	Mr. Speaker			

NOES: 003

Shoemaker	Smith	Williams
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PRESENT: 000

ABSENT WITH LEAVE: 032

Baker	Ballard	Boykins	Bray 84	Brooks
Cierpiot	Clayton	Dolan	Franklin	George
Green 73	Harlan	Hickey	Hohulin	Hosmer
Kelly 144	Lawson	Legan	Linton	Long
Luetkenhaus	Marble	Marsh	Monaco	Nordwald
Ostmann	Richardson	Scheve	Troupe	Van Zandt
Wagner	Wilson 42			

VACANCIES: 001

Speaker Kreider declared the bill passed.

**SS SCS HB 1953, as amended**, relating to the Department of Health advisory committees, was taken up by Representative Campbell.

Representative Campbell moved that the House refuse to adopt **SS SCS HB 1953, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILL

**SCS SBs 915, 710 & 907, with House Amendment No. 5 and HS, as amended, pending,** relating to transportation funding, was again taken up by Representative Koller.

On motion of Representative Hollingsworth, **House Amendment No. 5** was adopted by the following vote:

AYES: 077

Abel	Barry 100	Bartle	Bearden	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Brooks	Byrd	Campbell	Carnahan	Cierpiot
Cunningham	Curls	Daus	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	George	Graham	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hanaway	Harding
Haywood	Hendrickson	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Murphy	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Reynolds
Rizzo	Ross	Scheve	Secrest	Selby
Shelton	Shields	St. Onge	Thompson	Treadway
Troupe	Villa	Wagner	Walker	Walton
Williams	Wilson 42			

NOES: 071

Barnett	Barnitz	Bartelsmeyer	Behnen	Berkowitz
Berkstresser	Black	Boatright	Britt	Burcham
Burton	Champion	Cooper	Copenhaver	Crawford
Crowell	Crump	Davis	Franklin	Gaskill
Gratz	Hampton	Hartzler	Hegeman	Henderson
Holand	Hosmer	Hunter	Jetton	Kelly 27
Kelly 36	King	Koller	Legan	Lograsso
Luetkemeyer	May 149	Mayer	Merideth	Miller
Monaco	Moore	Myers	Naeger	Phillips
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Schwab	Scott	Seigfreid	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Townley	Vogel
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Ballard	Clayton	Harlan	Hohulin
Kelly 144	Lawson	Linton	Long	Marble
Marsh	Nordwald	Relford	Van Zandt	

VACANCIES: 001

Representative Koller offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 28, Section 144.805, Lines 1 to 4, by deleting all of said lines and inserting in lieu thereof the following:

**“established pursuant to section 305.230, RSMo; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed five million dollars in each calendar year.”.**

On motion of Representative Koller, **House Amendment No. 6** was adopted.

Representative Ostmann offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 34, Section 226.200, Line 1, by inserting after the word “costs” the following: **“not to exceed a maximum of two percent for such collection costs,”.**

Representative Roark offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 7*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 33, Section 226.200, Lines 19 through 22, by deleting the following:

**“The department of revenue for actual costs of collecting taxes and fees that are deposited in the state highways and transportation department fund, state road fund and motor fuel tax; and”.**

Representative Roark moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 047

Ballard	Barnett	Bartle	Behnen	Boatright
Burcham	Byrd	Champion	Cooper	Crawford
Crowell	Cunningham	Enz	Froelker	Gambaro
Gaskill	Gratz	Griesheimer	Hanaway	Hegeman
Henderson	Hendrickson	Hunter	Jetton	Kelley 47
King	Lograsso	Luetkemeyer	May 149	Mayer
Miller	Moore	Myers	Naeger	Phillips
Portwood	Quinn	Rector	Reinhart	Ridgeway
Roark	Ross	Scott	Secrest	Shoemaker
Vogel	Wright			



## 1929 *Journal of the House*

NOES: 081

Abel	Barnitz	Barry 100	Bearden	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burton	Campbell
Carnahan	Copenhaver	Crump	Curls	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Franklin	Fraser	George	Graham	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hickey	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	Koller	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Murphy	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Robirds	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Surface	Villa	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 034

Baker	Bartelsmeyer	Berkstresser	Boykins	Cierpiot
Clayton	Foley	Harlan	Hilgemann	Hohulin
Holand	Kelly 144	Lawson	Legan	Liese
Linton	Long	Marble	Marsh	Monaco
Nordwald	Purgason	Reid	Richardson	Scheve
Schwab	Seigfreid	Thompson	Townley	Treadway
Troupe	Van Zandt	Wagner	Mr. Speaker	

VACANCIES: 001

On motion of Representative Ostmann, **House Amendment No. 7** was adopted.

Representative Crawford offered **House Amendment No. 8**.

### *House Amendment No. 8*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, by inserting in the appropriate location the following section:

**"226.094. 1. The state highways and transportation commission shall appoint an inspector general. The inspector general shall report to and be under the general supervision of the commission with periodic reports to the speaker of the house of representatives and the president pro tempore of the senate and the commission. However, the commission or general assembly, by concurrent resolution, may request the inspector general to perform specific investigations, reviews, or other studies, in which instance the inspector general shall report the findings and recommendations directly to the speaker of the house of representatives and the president pro tempore of the senate. The inspector general shall file an annual report with the joint committee on transportation oversight. The inspector general shall not be dismissed without cause by the commission unless the commission's actions are approved by concurrent resolution of the general assembly.**

**2. The inspector general shall promote economy, efficiency, effectiveness, and public integrity in the administration of the programs and operations of the department; to detect and prevent fraud, waste, and abuse in department programs and operations; to conduct and supervise investigations and reviews relating to department programs and operations; to provide independent and objective assistance to help assure the**

department is operated in compliance with the constitutions and laws of the United States and the state of Missouri; to keep the commission, the director, and the director's staff fully and currently informed about any problems or deficiencies relating to the administration of department programs and operations and the necessity for and progress of any corrective actions taken; and to perform other duties as the inspector general may be assigned by the director.

3. To accomplish the duties of the inspector general, the inspector general may:

(1) Request the issuance of a subpoena or a subpoena duces tecum in connection with any investigation and as deemed necessary by the inspector general. The commission, or any two members thereof, shall have the authority to issue such subpoenas and subpoenas duces tecum upon the request of, and after being provided information supporting the grounds for such issuance by, the inspector general. No commission member shall be summoned, deposed, subpoenaed, or otherwise compelled to testify or justify regarding the basis for, or the information provided regarding, the issuance of a subpoena or subpoena duces tecum pursuant to this section. Subpoenas and subpoena duces tecum shall extend to all parts of the state and shall be served and returned as in civil actions in the circuit court. In cases of refusal to obey a subpoena or subpoena duces tecum issued by the commission, the circuit court of Cole County, or of any county where the person or entity refusing to obey such subpoena or subpoena duces tecum may be found, on application by the inspector general, shall have the power and jurisdiction to issue an order requiring such person or entity to appear before the inspector general or produce the documents requested, and any failure to obey such order shall be punished by the court as a contempt thereof;

(2) Administer to or take from any person an oath, affirmation, or affidavit, which oath, affirmation, or affidavit, when administered or taken by or before an authorized employee of the inspector general, shall have the same force and effect as if administered or taken by or before an officer having a seal.

4. Notwithstanding any provision of law to the contrary, any record or document or thing including but not limited to any summary, writing, complaint, data of any kind, tape or video recordings, electronic transmissions, e-mail, other paper or electronic documents, records, reports, digital recordings, photographs, software programs and software, expense accounts, phone logs, diaries, travel logs, or other things, including originals or copies of any of the above, contained in the inspector general's files or department databases regarding a complaint, a review or an investigation by the inspector general relating to department programs, operations or employees, or a summary or description of the nature or subjects of such complaint, review, or investigation, or any complaint, review, or investigative report containing confidential recommendations regarding the subject of potential future reviews, investigations, prosecutions, or litigations, shall be considered closed records. In the event an investigation or review by the inspector general is being administered concurrently with a separate civil or criminal investigation by another federal, state or local agency or entity, this closed record protection will continue even if these closed documents are deemed necessary by the inspector general to be delivered outside of the office of the inspector general in order to accomplish the duties of the inspector general or when these closed documents are provided to the director or the commission for their information or review."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Villa assumed the Chair.

On motion of Representative Crawford, **House Amendment No. 8** was adopted.

Representative Wright offered **House Amendment No. 9**.

**House Amendment No. 9** was withdrawn.

Representative Gambaro offered **House Amendment No. 9**.

**House Amendment No. 9** was withdrawn

Representative Gaskill offered **House Amendment No. 9**.

Representative Gratz raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

Representative Villa requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Hollingsworth offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 37, Section 226.1002, Line 13, by deleting all of said section; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Hollingsworth moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Roark offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, by inserting in the appropriate location the following:

**"226.004. 1. Beginning January 1, 2004, the chair of the highways and transportation commission shall annually present to the speaker of the house of representatives and president pro tempore of the senate, by the tenth legislative day, a plan detailing the state of transportation to be accompanied by an address to the general assembly. This plan shall outline how the department intends to use the additional revenues generated by this act to further construction of highway projects contained in its most recent statewide transportation improvement plan. The plan shall specify, by project, how the additional revenues will be utilized. In addition to the plan, the chair shall submit a report containing the most recent information required by section 21.795, RSMo, the department's most recent statewide transportation improvement plan, and an analysis regarding how the additional revenues produced by this act have accelerated projects contained within the department of transportation's statewide transportation improvement plan. The report shall also contain the current status as to completion, by project, of the most recent statewide transportation improvement program. The chair shall specifically identify at least one priority project in each transportation district which has been completed or substantially completed ahead of schedule due to the additional revenues provided by this act. In addition, the chair shall analyze how the additional revenues have accelerated the reconstruction of the interstate system, particularly interstate highway 70. Once the plan has been submitted, the general assembly shall determine by concurrent resolution whether the collection of the additional revenues generated from this act shall be continued.**

**2. The plan submitted by the highways and transportation commission shall become effective no later than forty-five calendar days after its submission to a regular session, unless it is disapproved within said forty-five calendar days by a concurrent resolution introduced within fourteen calendar days of the submission of the plan. The presiding officer of each house in which a concurrent resolution disapproving the plan has been introduced, shall submit it to a vote of the membership not sooner than seven calendar days or later than**

fourteen calendar days after introduction of the concurrent resolution pertaining to the commission's plan. The presiding officer of the house passing a concurrent resolution disapproving the commission's plan shall immediately forward the bill to the other house and the presiding officer of that house shall submit it to a vote of the membership not sooner than seven calendar days or later than fourteen calendar days of its receipt from the other legislative body. The plan submitted by the highways and transportation commission shall not be subject to amendment by either chamber and may only be rejected in its entirety.

3. If the plan submitted by the commission is rejected by the general assembly, the highways and transportation commission shall within thirty days of disapproval cease further highway construction activities until the general assembly approves an alternative plan submitted by the commission pursuant to the procedure described in this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Roark moved that **House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 046

Barnett	Bartelsmeyer	Bearden	Behnen	Berkstresser
Boatright	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crowell	Cunningham	Dempsey
Enz	Froelker	Gaskill	Hanaway	Hegeman
Hendrickson	Hunter	Jetton	Kelley 47	King
Luetkemeyer	Mayer	Miller	Myers	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Ridgeway	Roark	Robirds	Secrest
Shields	Shoemaker	St. Onge	Townley	Whorton
Wright				

NOES: 081

Abel	Barnitz	Barry 100	Berkowitz	Black
Bland	Bonner	Bowman	Bray 84	Britt
Brooks	Campbell	Carnahan	Copenhaver	Crawford
Crump	Curls	Daus	Davis	Fares
Farnen	Foley	Franklin	Fraser	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Harding	Hartzler	Haywood
Henderson	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Koller	Legan
Lowe	May 149	Mays 50	Merideth	Monaco
Moore	Murphy	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Ransdall	Relford	Reynolds
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Treadway	Villa	Vogel
Walker	Ward	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 035

Baker	Ballard	Bartle	Boucher	Boykins
Clayton	Dolan	Gambaro	Harlan	Hohulin
Holand	Kelly 144	Lawson	Liese	Linton
Lograsso	Long	Luetkenhaus	Marble	Marsh
McKenna	Nordwald	Paone	Richardson	Rizzo
Ross	Schwab	Scott	Surface	Thompson
Troupe	Van Zandt	Wagner	Walton	Mr. Speaker

VACANCIES: 001

Representative Henderson offered **House Amendment No. 11.**

*House Amendment No. 11*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 73, Section 305.714, Line 14, by inserting after all of said line the following:

**"306.123. 1. Every person born after August 28, 1981, or as required pursuant to section 306.128, who operates a vessel or personal watercraft shall possess, on the vessel or personal watercraft, a boating safety identification card issued by the Missouri state water patrol or its agent which shows that he or she has:**

**(1) Successfully completed a boating safety course approved by the National Association of State Boating Law Administrators and certified by the Missouri state water patrol. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The Missouri state water patrol may appoint agents to administer a boater education course or course equivalency examination and issue boater identification cards under guidelines established by the water patrol. The Missouri state water patrol shall maintain a list of approved courses; or**

**(2) Successfully passed an equivalency examination prepared by the Missouri state water patrol and administered by the Missouri state water patrol or its agent. The equivalency examination shall have a degree of difficulty equal to, or greater than, that of the examinations given at the conclusion of an approved boating safety course; or**

**(3) A valid master's, mate's or operator's license issued by the United States Coast Guard.**

**2. The Missouri state water patrol or its agent shall issue a permanent boating safety identification card to each person who complies with the requirements of this section which is valid for life unless invalidated pursuant to law.**

**3. The Missouri state water patrol may charge a fee for such card that does not substantially exceed the costs of administrating this section. These funds shall be forwarded to general revenue.**

**4. The provisions of this section shall not apply to any person who:**

**(1) Is licensed by the United States Coast Guard to serve as master of a vessel;**

**(2) Operates a vessel or personal watercraft only on a private lake or pond that is not classified as waters of the state;**

**(3) Until December 31, 2004, is a nonresident who is visiting the state for sixty days or less;**

**(4) Is participating in an event or regatta approved by the water patrol;**

**(5) Is a nonresident who has proof of a valid boating certificate or license issued by another state if the boating course is approved by the National Association of State Boating Law Administrators; or**

**(6) Is exempted by rule of the water patrol.**

**5. The Missouri state water patrol shall inform other states of the requirements of this section.**

**6. Any person who violates the provisions of this section is guilty of a class C misdemeanor and for a second or subsequent offense is guilty of a class B misdemeanor.**

**7. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.**

**306.128. 1. Any person convicted of an offense pursuant to section 306.110, 306.111, 306.112, 306.123, 306.132 or 306.141 shall:**

**(1) Enroll in and successfully complete, at his or her own expense, a boating safety education course that**

meets minimum standards established by the water patrol by rule;

(2) File with the court proof of successful completion of such course and submit a certified copy to the water patrol; and

(3) Not operate a vessel until such filing.

2. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Henderson moved that **House Amendment No. 11** be adopted.

Which motion was defeated.

Representative Byrd offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, by inserting at the appropriate location the following section:

"136.055. 1. Any person who is selected or appointed by the state director of revenue to act as an agent of the department of revenue, whose duties shall be the sale of motor vehicle licenses and the collection of motor vehicle sales and use taxes under the provisions of section 144.440, RSMo, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer license sold, renewed or transferred--two dollars and fifty cents beginning January 1, 1998; and four dollars beginning July 1, 2000[.]; **and five dollars beginning August 28, 2002, for those licenses biennially renewed pursuant to section 301.147, RSMo. Beginning July 1, 2003, for each motor vehicle or trailer license sold, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147, RSMo;**

(2) For each application or transfer of title--two dollars and fifty cents beginning January 1, 1998;

(3) For each chauffeur's, operator's or driver's license -- two dollars and fifty cents beginning January 1, 1998; and four dollars beginning July 1, 2000[.]; **and five dollars beginning July 1, 2003, for six-year licenses issued or renewed;**

(4) For each notice of lien processed--two dollars and fifty cents beginning August 28, 2000;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. This section shall not apply to agents appointed by the state director of revenue in any city, other than a city not within a county, where the department of revenue maintains an office. All fees charged shall not exceed those in this section.

3. Any person acting as agent of the department of revenue for the sale and issuance of licenses and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

4. The fee increases authorized by this section and approved by the general assembly were requested by the fee agents. All fee agent offices shall display a three foot by four foot sign with black letters of at least three inches in height on a white background which states:

The increased fees approved by the Missouri  
Legislature and charged by this fee office  
were requested by the fee agents."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 12** was adopted.

Representative Bland offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, by inserting at the appropriate location the following section:

**"Section 1. 1. The state highways and transportation commission shall approve and implement a minority and women employment business enterprises program. The plan shall require all business vendors and contractors to assure the enforcement of an equal opportunity employment plan, and a minority and women business enterprises program that is based on population and availability and which contains specific goals for each such business, as applicable pursuant to state and federal laws.**

**2. The state highways and transportation commission shall implement and maintain an equal opportunity employment plan and a minority and women business enterprises program with specific goals which shall be identified and reported by ethnicity and gender. The state highways and transportation commission minority and women business enterprises program shall include the provisions of sections 34.070, 34.073, and 34.076, RSMo. The state highways and transportation commission shall engage the services of a compliance monitor, through either direct employment or by service contract, to assist in the implementation and progress of the program.**

**3. The state highways and transportation commission shall develop and implement such plan in coordination with Executive Order 98-21, house committee substitute for senate substitute for senate committee substitute for senate bills nos. 808 and 672 as truly agreed to and finally passed by the eighty-fifth general assembly, second regular session, and the Missouri business development commission.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bland, **House Amendment No. 13** was adopted.

Representative Dolan offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, by inserting in the appropriate location the following:

**"227.107. 1. Notwithstanding any provision of section 227.100 to the contrary, as an alternative to the requirements and procedures specified by sections 227.040 to 227.100, the state highways and transportation commission is authorized to enter into one highway design-build project contract. The design-build pilot project authorized by this section shall be selected by the highways and transportation commission from projects approved by the East-West Gateway Coordinating Council and included in the statewide transportation improvement program approved by the commission. Authority to enter into design-build projects granted by this section shall expire on July 1, 2012, unless extended by statute. Any design-build pilot project contract entered into before July 1, 2012, may be continued to its completion through the design-build method of construction.**

**2. For the purpose of this section a "design-builder" is defined as an individual, corporation, partnership, joint venture or other entity, including combinations of such entities making a proposal to perform or performing a design-build highway project contract.**

**3. For the purpose of this section, "design-build highway project contract" is defined as the procurement of all materials and services necessary for the design, construction, reconstruction or improvement of a state highway project in a single contract with a design-builder capable of providing the necessary materials and**

services.

4. For the purpose of this section, "highway project" is defined as the design, construction, reconstruction or improvement of highways or bridges under contract with the state highways and transportation commission, which is funded by state, federal or local funds or any combination of such funds.

5. In using a design-build highway project contract, the commission shall establish a written procedure by rule for prequalifying design-builders before such design-builders will be allowed to make a proposal on the project.

6. In any design-build highway project contract, whether involving state or federal funds, the commission shall require that each person submitting a request for qualifications provide a detailed disadvantaged business enterprise participation plan. The plan shall provide information describing the experience of the person in meeting disadvantaged business enterprise participation goals, how the person will meet the department of transportation's disadvantaged business enterprise participation goal and such other qualifications that the commission considers to be in the best interest of the state.

7. The commission is authorized to issue a request for proposals to a maximum of five design-builders prequalified in accordance with subsection 5 of this section.

8. The design-builder awarded the contract for such project shall perform work in actual construction of the project amounting to not less than fifty percent of construction costs. The commission may require approval of any person performing subcontract work on the design-build highway project.

9. The bid bond and performance bond requirements of section 227.100 and the payment bond requirements of section 107.170, RSMo, shall apply to the design-build highway project.

10. The commission is authorized to prescribe the form of the contracts for the work.

11. The commission is empowered to make all final decisions concerning the performance of the work under the design-build highway project contract, including claims for additional time and compensation.

12. The provisions of sections 8.285 to 8.291, RSMo, shall not apply to the procurement of architectural, engineering or land surveying services for the design-build highway project, except that any person providing architectural, engineering or land surveying services for the design-builder on the design-build highway project must be licensed in Missouri to provide such services.

13. The commission shall pay a reasonable stipend to prequalified responsive design-builders who submit a proposal, but are not awarded the design-build highway project.

14. The commission shall comply with the provisions of any act of congress or any regulations of any federal administrative agency which provides and authorizes the use of federal funds for highway projects using the design-build process.

15. The commission shall promulgate administrative rules to implement this section or to secure federal funds. Such rules shall be published for comment in the Missouri Register and shall include prequalification criteria, the make-up of the prequalification review team, specifications for the design criteria package, the method of advertising, receiving and evaluating proposals from design-builders, the criteria for awarding the design-build highway project based on the design criteria package and a separate proposal stating the cost of construction, and other methods, procedures and criteria necessary to administer this section.

16. The commission shall make a status report to the members of the general assembly and the governor following the award of the design-build project, as an individual component of the annual report submitted by the commission to the joint transportation oversight committee in accordance with the provisions of section 21.795, RSMo. The annual report prior to advertisement of the design-build highway project contracts shall state the goals of the project in reducing costs and/or the time of completion for the project in comparison to the design-bid-build method of construction and objective measurements to be utilized in determining achievement of such goals. Subsequent annual reports shall include: the time estimated for design and construction of different phases or segments of the project and the actual time required to complete such work during the period; the amount of each progress payment to the design-builder during the period and the percentage and a description of the portion of the project completed regarding such payment; the number and a description of design change orders issued during the period and the cost of each such change order; upon substantial and final completion, the total cost of the design-build highway project with a breakdown of costs for design and construction; and such other measurements as specified by rule. The annual report immediately after final completion of the project shall state an assessment of the advantages and disadvantages of the design-build method of contracting for highway and bridge projects in comparison to the design-bid-build method of contracting and an assessment of whether the goals of the project in reducing costs and/or the time of completion



of the project were met.

17. The commission shall give public notice of a request for qualifications in at least two public newspapers that are distributed wholly or in part in this state and at least one construction industry trade publication that is distributed nationally.

18. The commission shall publish its cost estimates of the design-build highway project award and the desired project completion date along with its public notice requesting qualifications of proposers for the design-build project.

19. If the commission fails to receive at least two responsive submissions from design-builders considered qualified, submissions shall not be opened and it shall readvertise the project.”.

Representative Dolan moved that **House Amendment No. 14** be adopted.

Which motion was defeated.

Representative Dempsey offered **House Amendment No. 15**.

Representative Shelton raised a point of order that **House Amendment No. 15** goes beyond the scope of the bill.

Representative Villa requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Pro Tem Abel resumed the Chair.

Representative Gaskill offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, Page 74, Section 307.205, Line 6, by inserting after the word “device” the words “**on public roadways**”.

On motion of Representative Gaskill, **House Amendment No. 15** was adopted.

On motion of Representative Koller, **HS SCS SBs 915, 710 & 907, as amended**, was adopted.

On motion of Representative Koller, **HS SCS SBs 915, 710 & 907, as amended**, was laid over.

## **COMMITTEE REPORTS**

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SB 1026**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SS SB 665**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SS SCS SB 1107**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SB 713**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1101**, and has taken up and passed **CCS SCS HCS HB 1101**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1102**, as **amended**, and has taken up and passed **CCS SCS HCS HB 1102**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1103**, as **amended**, and has taken up and passed **CCS SCS HCS HB 1103**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1104**, as **amended**, and has taken up and passed **CCS SCS HCS HB 1104**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1105**, and has taken up and passed **CCS SCS HCS HB 1105**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1106**, and has taken up and passed **CCS SCS HCS HB 1106**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1107**, as **amended**, and has taken up and passed **CCS SCS HCS HB 1107**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1108**, and has taken up and passed **CCS SCS HCS HB 1108**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1109**, and has taken up and passed **CCS SCS HCS HB 1109**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1110**, and has taken up and passed **CCS SCS HCS HB 1110**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS#2 SCS HB 1446, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **HCS SB 758** are allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 895, as amended**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1111, as amended**, and has taken up and passed **CCS SCS HCS HB 1111**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1112**, and has taken up and passed **CCS SCS HCS HB 1112**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1120**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS#2 SCS HB 1446, as amended**: Senators Kenney, Rohrbach, Klindt, Johnson and Wiggins.

## COMMUNICATIONS

May 10, 2002

Pursuant to Article III, Section 26 of the Missouri Constitution, the undersigned five members request a recorded vote on any vote pertaining to House Bill No. 1102.

/s/ Don Lograsso (54)  
/s/ Charlie Ballard (140)  
/s/ Delbert Scott (119)  
/s/ Carson Ross (55)  
/s/ Patrick Naeger (155)

May 10, 2002

Pursuant to Article III, Section 26 of the Missouri Constitution, the undersigned five members request a recorded vote on any vote pertaining to House Bill No. 1105, House Bill No. 1106, House Bill No. 1107, House Bill No. 1108, House Bill No. 1109, House Bill No. 1110, House Bill No. 1111, House Bill No. 1112, House Bill No. 1104 and House Bill No. 1103.

/s/ Don Lograsso (54)  
/s/ Charlie Ballard (140)  
/s/ Delbert Scott (119)  
/s/ Carson Ross (55)  
/s/ Connie Cierpoit (52)

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 11:00 a.m., Monday, May 13, 2002.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-eighth Day, Thursday, May 9, 2002, page 1843, by deleting line 7 and inserting in lieu thereof the following:

Which motion was defeated by the following vote pursuant to Article IV, Section 27 (a):

Page 1848, line 42, by inserting immediately after the word "schedule" the following:

"or according to the policy"

Pages 1794 and 1795, roll call, by showing Representatives Curls, Enz, Graham, Hunter, King, Miller, Reinhart, Wagner and Willoughby voting "aye" rather than "absent with leave".

Pages 1797 and 1798, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Pages 1798 and 1799, roll call, by showing Representatives Robirds and Wagner voting "aye" rather than "absent with leave".

Pages 1799 and 1800, roll call, by showing Representatives Kelly (27), Wagner and Willoughby voting "aye" rather than "absent with leave".

Pages 1800 and 1801, roll call, by showing Representatives Campbell, Kelly (27) and Miller voting "aye" rather than "absent with leave".

Page 1801, roll call, by showing Representatives Graham, Kelly (27) and Paone voting "aye" rather than "absent with leave".

Page 1802, roll call, by showing Representatives Barnett, Hosmer, Kelly (27), Paone and Shields voting "aye" rather than "absent with leave".

Pages 1802 and 1803, roll call, by showing Representatives Graham, Hosmer, Kelly (27) and Shields voting "aye" rather than "absent with leave".

Pages 1803 and 1804, roll call, by showing Representatives Boucher, Hosmer, Kelly (27), Shields and Willoughby voting "aye" rather than "absent with leave".

Pages 1804 and 1805, roll call, by showing Representatives Boykins, Kelly (27) and Reinhart voting "aye" rather than "absent with leave".

Page 1807, roll call, by showing Representatives Barnett, Behnen, Campbell, Cooper, Hosmer, King, Reinhart, Scott, Wagner and Willoughby voting "aye" rather than "absent with leave".

Page 1810, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Page 1816, roll call, by showing Representatives Boykins, Champion, Hegeman, Luetkemeyer, Shields and Wagner voting "aye" rather than "absent with leave".

Pages 1826 and 1827, roll call, by showing Representative Berkstresser voting "aye" rather than "no".

Page 1827, roll call, by showing Representative Hegeman voting "no" rather than "absent with leave".

Page 1828, roll call, by showing Representative Reinhart voting "aye" rather than "absent with leave".

Page 1828, roll call, by showing Representatives Berkstresser and Hegeman voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **FISCAL REVIEW AND GOVERNMENT REFORM**

Monday, May 13, 2002, 10:00 a.m. Hearing Room 7.

Fiscal Review.

Public Hearing to be held on: SB 670, SB 856, SB 894

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Tuesday, May 14, 2002, 12:30 p.m. Hearing Room 3.

Open meeting. Set prices for 2002 Session Laws. Any other business.

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Monday, May 13, 2002, 10:30 a.m. Hearing Room 5.

Executive Session may follow.

Public Hearing to be held on: SJR 24

**PROFESSIONAL REGISTRATION AND LICENSING**

Monday, May 13, 2002, 10:30 a.m. Hearing Room 6.

Executive Session. Public Hearing to be held on: SB 739

**SUBCOMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT**

Monday, May 13, 2002, 9:00 a.m. Senate Committee Room 1.

Challenge fiscal note: SCS HB 1041.

**HOUSE CALENDAR**

SEVENTIETH DAY, MONDAY, MAY 13, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton
- 11 HB 1211 - Smith
- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)
- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher

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- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley
- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)
- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall
- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 2160, as amended - Britt
- 2 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 3 HB 1916 - Franklin

**HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 HCS HCR 35, (5-7-02, Pages 1716-1718) - Riback Wilson(25)
- 2 HCR 30, (5-7-02, Pages 1715-1716) - Boucher
- 3 HCR 40, (5-7-02, Pages 1718-1719) - Walton

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 3 HS HCS HB 1231 - Harding

**SENATE CONCURRENT RESOLUTIONS FOR SECOND READING**

- 1 SCR 73
- 2 SCR 75

**SENATE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

SCR 58, HCA 1 (Klarich) (4-9-02, Pages 1026-1027) - Luetkenhaus

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 831, (Loudon) - Gambaro

**SENATE BILLS FOR THIRD READING**

- 1 HCS SS SCS SB 675, E.C.(Yeckel) - Seigfreid
- 2 HS SCS SB 915, 710 & 907, as amended (Westfall) - Koller
- 3 HCS SCS SB 894, 975 & 927, E.C. (Kinder) (Fiscal Review 5-6-02) - O'Toole
- 4 HCS SB 856, (Russell) (Fiscal Review 5-6-02) - Rizzo
- 5 HCS SS SCS SB 670 & 684, (Sims) (Fiscal Review 5-8-02) - Harlan
- 6 HCS SB 1039, (DePasco) - Curls
- 7 HCS SCS SB 1061 & 1062, (Rohrbach) - Harlan
- 8 HCS SCS SB 722, (Bentley) - Relford
- 9 SB 1143, (Jacob) - Monaco
- 10 SB 859, (Russell) - Ransdall
- 11 HCS SCS SB 680, E.C. (Bland) - Barry
- 12 HCS SB 718, (House) - Berkowitz
- 13 SCS SB 1266, (Kenney) - Hoppe
- 14 SB 1011, (Caskey) - Monaco
- 15 HCS SCS SB 892, (Kenney) - O'Connor
- 16 HCS SS SCS SB 931, (Klarich) - Monaco
- 17 HCS SS SCS SB 837, 866, 972 & 990, (Cauthorn) - Berkowitz
- 18 HCS SB 1186, (Kenney) - Hoppe
- 19 HCS SS SCS SB 923, 828, 876, 694 & 736, E.C.(Sims) - Barry
- 20 HCS SS SCS SB 1107, (Childers) - Hoppe
- 21 SB 713, (Singleton) - Hosmer
- 22 SCS SB 1026, (Kenney) - Barry
- 23 HCS SS SB 665, (Kenney) - Hoppe

**SENATE BILL FOR THIRD READING - INFORMAL**

- HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1701 - Luetkenhaus
- 2 SCS HS HCS HB 1532 - Hoppe
- 3 SCS HB 1141,1400,1645,1745 & 2026 - Naeger
- 4 SS HB 2023 - Franklin
- 5 HB 1926, SA 1, E.C. - Fraser



**BILLS CARRYING REQUEST MESSAGES**

- 1 HS HCS SCS SB 810, as amended (request House recede/grant conference) - Ladd Baker
- 2 HS HCS SCS SB 712, as amended (request House recede/grant conference) - O'Toole
- 3 HS HCS SB 895, as amended (request House recede/grant conference) - Liese
- 4 SS SCS HB 1953, as amended (request Senate recede/grant conference) - Van Zandt

**BILLS IN CONFERENCE**

- 1 SCS HB 2120 - Ridgeway
- 2 HS HCS SS SB 1248, as amended - Foley
- 3 HCS SB 758 - Hosmer
- 4 CCR HCS SB 795 - Treadway
- 5 HCS SCS SB 1086 & 1126 - Hoppe
- 6 SCS HB 1313 - Burton
- 7 CCR HS SB 1220, as amended - O'Toole
- 8 HCS SCS SB 1202, E.C. - Koller
- 9 SS SCS HB 1712, as amended - Monaco
- 10 SS#2 SCS HB 1446, as amended - Luetkenhaus

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SEVENTIETH DAY, MONDAY, MAY 13, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Father David Buescher.

Heavenly Father, thanks for getting us through some of the thorniest of issues. But our representatives have distances to travel in this short week. Guide their trails in directions toward progress, fill their intellects with all needed information, fortify their hearts with courage and determination, that dialogue and decision be made with telltale signs of Your wise presence. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-ninth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1962

through

House Resolution No. 1965 - Representative Kreider

## SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**SCR 73** and **SCR 75** were read the second time.

## BILLS CARRYING REQUEST MESSAGES

**HS HCS SCS SB 810, as amended**, relating to the Utilicare Program, was taken up by Representative Ladd Baker.

Representative Ladd Baker moved that the House refuse to recede from its position on **HS HCS SCS SB 810, as amended**, grant the Senate a conference and the House conferees be allowed to exceed the differences for the purpose of dealing with the spend down issue.

Which motion was adopted.

**HS HCS SB 895, as amended**, relating to banking regulations, was taken up by Representative Liese.

Representative Liese moved that the House refuse to recede from its position on **HS HCS SB 895, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HS HCS SCS SB 712, as amended**, relating to state emergency health powers, was taken up by Representative O'Toole.

Representative O'Toole moved that the House refuse to recede from its position on **HS HCS SCS SB 712, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **BILL IN CONFERENCE**

**HCS SB 758**, relating to sex offender registration, was taken up by Representative Hosmer.

Representative Hosmer moved that the House conferees be allowed to exceed the differences on **HCS SB 758**.

Which motion was adopted.

### **HOUSE BILL WITH SENATE AMENDMENT**

**SS HB 2023**, relating to special education resolution conferences, was taken up by Representative Franklin.

On motion of Representative Franklin, **SS HB 2023** was adopted by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Boykins	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth

Miller	Monaco	Moore	Murphy	Myers
Naeger	O'Connor	O'Toole	Overschmidt	Ostmann
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 001

Byrd

PRESENT: 000

ABSENT WITH LEAVE: 010

Blond	Gaskill	Green 73	Hagan-Harrell	Hohulin
Lawson	Nordwald	Ridgeway	Troupe	Williams

VACANCIES: 001

On motion of Representative Franklin, **SS HB 2023** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Boykins	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Ostmann	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith

## 1949 *Journal of the House*

St. Onge	Surface	Thompson	Townley	Treadway
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wright
Mr. Speaker				

NOES: 001

Byrd

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Gaskill	Green 73	Hagan-Harrell	Hickey
Hohulin	Lawson	Monaco	Nordwald	Reid
Ridgeway	Troupe	Van Zandt	Williams	Wilson 42

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### MOTION

Representative Foley moved that Rule 26 be suspended to allow the members of the House Conference Committee on **HS HCS SS SB 1248, as amended**, to meet while the House is in session.

Which motion was defeated by the following vote:

AYES: 081

Abel	Barnitz	Barry 100	Berkowitz	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Campbell	Carnahan	Clayton	Copenhaver	Crump
Curls	Daus	Davis	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Green 15	Griesheimer	Hampton	Harding	Hartzler
Haywood	Hickey	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Koller	Liese
Long	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Murphy	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Reid	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Van Zandt	Villa	Wagner	Walker
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 066

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Hanaway	Hegeman

Henderson	Hendrickson	Hilgemann	Hunter	Jetton
Kelley 47	Kelly 144	King	Legan	Linton
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Myers	Naeger
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Richardson	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 003

Boykins	Gratz	Walton
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ABSENT WITH LEAVE: 012

Baker	Bland	Gaskill	Green 73	Hagan-Harrell
Harlan	Hohulin	Lawson	Nordwald	Ridgeway
Troupe	Williams			

VACANCIES: 001

## HOUSE BILL WITH SENATE AMENDMENT

**SCS HS HCS HB 1532**, relating to intoxication torts, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **SCS HS HCS HB 1532** was adopted by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Boatright	Bonner	Boucher	Boykins
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Naeger	O'Toole	Overschmidt	Ostmann
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs

## 1951 *Journal of the House*

Smith	St. Onge	Surface	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Jolly	Rizzo
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 019

Baker	Black	Bland	Foley	Franklin
Gaskill	Green 73	Hagan-Harrell	Harlan	Hickey
Hohulin	Lawson	Legan	Myers	Nordwald
O'Connor	Richardson	Ridgeway	Troupe	

VACANCIES: 001

On motion of Representative Hoppe, **SCS HS HCS HB 1532** was truly agreed to and finally passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Boatright	Bonner	Boucher	Boykins
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 002

Jolly Rizzo

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 017

Baker	Black	Bland	Foley	Franklin
Gaskill	Green 73	Hagan-Harrell	Harlan	Hohulin
Lawson	Nordwald	O'Toole	Richardson	Ridgeway
Secrest	Troupe			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Villa assumed the Chair.

### ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

**HCR 30**, relating to universal design of new homes, was taken up by Representative Boucher.

Representative Boucher moved that **HCR 30** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 064

Abel	Baker	Barry 100	Berkowitz	Boucher
Bray 84	Britt	Brooks	Campbell	Carnahan
Copenhaver	Crump	Curls	Davis	Farnen
Foley	Franklin	Fraser	George	Graham
Green 15	Green 73	Hampton	Harding	Harlan
Haywood	Hollingsworth	Hoppe	Hosmer	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Koller
Liese	Lowe	Mays 50	Monaco	Moore
O'Toole	Ransdall	Reid	Relford	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Villa	Walker	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 056

Barnett	Barnitz	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burton	Byrd
Champion	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Daus	Dempsey	Fares	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Holt	Hunter	Kelley 47	Legan	Linton
Lograsso	Long	Luetkemeyer	May 149	Mayer
Merideth	Miller	Myers	Ostmann	Phillips



## 1953 *Journal of the House*

Portwood	Purgason	Quinn	Rector	Reinhart
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 042

Ballard	Bartelsmeyer	Bland	Bonner	Bowman
Boykins	Burcham	Clayton	Dolan	Enz
Froelker	Gambaro	Gaskill	Gratz	Hagan-Harrell
Hickey	Hilgemann	Hohulin	Holand	Jetton
Johnson 61	Kelly 144	King	Lawson	Luetkenhaus
Marble	Marsh	McKenna	Murphy	Naeger
Nordwald	O'Connor	Overschmidt	Paone	Reynolds
Richardson	Ridgeway	Shoemaker	Troupe	Vogel
Wagner	Walton			

VACANCIES: 001

Representative Boucher requested a verification of the roll call on the motion to third read and pass **HCR 30**.

On motion of Representative Crump, the House recessed until 1:45 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyle Tamashiro, Tyler Marble and Jordan Marble.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1966  
and

House Resolution No. 1967 - Representative Holt  
House Resolution No. 1968 - Representative Johnson (61)  
House Resolution No. 1969 - Representative Troupe

House Resolution No. 1970  
through

House Resolution No. 1974 - Representatives Riback Wilson (25), Harlan and Graham  
House Resolution No. 1975 - Representatives Champion and Roark  
House Resolution No. 1976 - Representatives Holand and Roark  
House Resolution No. 1977 - Representative Roark  
House Resolution No. 1978 - Representative Crowell  
House Resolution No. 1979 - Representative Hegeman  
House Resolution No. 1980 - Representative Walker  
House Resolution No. 1981 - Representative Kelly (36)

House Resolution No. 1982 - Representative Relford  
 House Resolution No. 1983 - Representative Shoemyer (9)  
 House Resolution No. 1984 - Representative Gratz  
 House Resolution No. 1985  
 and  
 House Resolution No. 1986 - Representative Naeger

## HOUSE BILL WITH SENATE AMENDMENTS

**HB 1926, with Senate Amendment No. 1, Senate Amendment No. 3 and Senate Amendment No. 4**, relating to children's health insurance program, was taken up by Representative Fraser.

On motion of Representative Fraser, the House concurred in **Senate Amendment No. 1, Senate Amendment No. 3 and Senate Amendment No. 4** by the following vote:

AYES: 123

Abel	Baker	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Berkstresser	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burton	Campbell	Carnahan	Champion	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Fraser	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Long	Lowe	Luetkenhaus	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Quinn
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Ross	Scheve	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 035

Ballard	Bartelsmeyer	Bartle	Bearden	Boatright
Burcham	Byrd	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Froelker	Griesheimer
Hegeman	Henderson	Hendrickson	Hohulin	Hunter
Kelly 144	Linton	Lograsso	Luetkemeyer	Marble
Naeger	Nordwald	Phillips	Purgason	Rector
Ridgeway	Roark	Robirds	Schwab	Scott

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PRESENT: 000

ABSENT WITH LEAVE: 004

Bland Brooks Franklin Murphy

VACANCIES: 001

On motion of Representative Fraser, **HB 1926, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 121

Abel	Baker	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Berkstresser	Black	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Dolan	Enz	Fares	Farnen
Foley	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Liese
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Moore	Murphy	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Quinn
Ransdall	Reid	Relford	Reynolds	Rizzo
Ross	Scheve	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 036

Ballard	Bartelsmeyer	Bartle	Bearden	Boatright
Burcham	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Froelker	Griesheimer	Henderson
Hendrickson	Hohulin	Hunter	Kelly 144	Legan
Linton	Lograsso	Marble	Miller	Naeger
Nordwald	Phillips	Purgason	Rector	Reinhart
Richardson	Ridgeway	Roark	Robirds	Schwab
Scott				

PRESENT: 000

ABSENT WITH LEAVE: 005

Bland Boucher Franklin Holand Monaco

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Abel	Baker	Barnett	Barnitz	Barry 100
Behnen	Berkowitz	Berkstresser	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hegeman	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Portwood
Quinn	Ransdall	Reid	Relford	Reynolds
Rizzo	Ross	Scheve	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 031

Ballard	Bartelsmeyer	Bartle	Bearden	Boatright
Burcham	Cooper	Crawford	Crowell	Cunningham
Griesheimer	Hanaway	Henderson	Hendrickson	Hohulin
Hunter	Kelly 144	Linton	Lograsso	Marble
Miller	Phillips	Purgason	Rector	Reinhart
Richardson	Ridgeway	Roark	Robirds	Schwab
Scott				

PRESENT: 000

ABSENT WITH LEAVE: 004

Bland	Cierpiot	Enz	Hickey
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VACANCIES: 001

## ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION

**HCR 40**, relating to the Joint Interim Committee on After-School Programs, was taken up by Representative Walton.

Representative Shields offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Concurrent Resolution No. 40, Page 2, 3<sup>rd</sup> “be it resolved” clause, by inserting after the words “sustainability” in the last line of said clause the following:

**“and make recommendations concerning the effect of financial incentives for summer school included in the school funding formula, for their continuance, changes, or elimination.”.**

On motion of Representative Shields, **House Amendment No. 1** was adopted.

On motion of Representative Walton, **HCR 40, as amended**, was read the third time and passed by the following vote:

AYES: 127

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkstresser	Black	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Lawson	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Murphy	Myers
Naeger	O'Toole	Ostmann	Overschmidt	Paone
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Rizzo	Ross
Scheve	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Thompson	Treadway	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 021

Ballard	Bartle	Boatright	Froelker	Griesheimer
Kelly 144	Legan	Linton	Lograsso	Long
Miller	Nordwald	Phillips	Purgason	Richardson
Ridgeway	Roark	Robirds	Scott	Surface
Townley				

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Berkowitz	Bland	Franklin	Harlan
Hartzler	Hickey	Hohulin	Holand	Jetton
Liese	O'Connor	Troupe	Van Zandt	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### THIRD READING OF SENATE BILL

**HS SCS SBs 915, 710 & 907, as amended**, relating to transportation funding, was taken up by Representative Koller.

On motion of Representative Koller, **HS SCS SBs 915, 710 & 907, as amended**, was read the third time and passed by the following vote:

AYES: 100

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Black	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Byrd
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Harding	Harlan	Hartzler	Haywood	Hickey
Hilgemann	Hollingsworth	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	King	Koller
Lawson	Legan	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Ransdall	Relford	Reynolds	Richardson
Rizzo	Robirds	Scheve	Seigfreid	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 059

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Boatright	Burcham	Burton	Cierpiot
Cooper	Crawford	Crowell	Enz	Froelker
Griesheimer	Hampton	Hanaway	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Holt	Hoppe
Hunter	Jetton	Kelley 47	Kelly 144	Kelly 36
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Nordwald	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Ridgeway	Roark	Ross
Schwab	Scott	Secrest	Selby	Shields
Surface	Townley	Vogel	Wright	

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PRESENT: 000

ABSENT WITH LEAVE: 003

Bland

Murphy

Reid

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HS HCS SCS SB 712:** Representatives O'Toole, Hosmer, Johnson (61), Ballard and Phillips

**HS HCS SCS SB 810:** Representatives Ladd Baker, Harlan, Graham, Portwood and Holand

**HS HCS SB 895:** Representatives Liese, Monaco, Ward, Luetkemeyer and Wright

**HCS SCS SBs 1086 & 1126:** Representatives Hoppe, Wagner, McKenna, Lograsso and Dolan

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1402**, entitled:

An act to repeal section 392.410, RSMo, and to enact in lieu thereof two new sections relating to the rights of a political subdivision to use their telecommunications services or facilities.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 7 and Senate Amendment No. 9

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1402, Page 4, Section 392.410, Line 77, by inserting after all of said line the following:

**“Section 1. Notwithstanding any provisions of law to the contrary, any utility unit, as defined in Title IV of the federal Clean Air Act, 42 U.S.C. Section 7851a, that uses coal-fired cyclone boilers which also burn tire derived fuel shall limit emissions of oxides of nitrogen to a rate no greater than eighty percent of the emission limit for cyclone-fired boilers in Title IV of the federal Clean Air Act and implementing regulations in 40 CFR Part 76, as amended. The provisions of this section shall expire on April 30, 2004, or upon the effective date of a revision to 10 CSR 10-6.350, whichever later occurs. The director of the department of natural resources shall notify the revisor of statutes of the effective date of a revision to 10 CSR 10-6.350.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Bill No. 1402, Page 1, In the Title, Line 4, by inserting immediately after the word “facilities” the following: “, with an expiration date”; and

Further amend said bill, Page 4, Section 392.410, Line 77, by inserting after all of said line the following:

“Section B. The provisions of this act shall expire August 28, 2007.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Bill No. 1402, Page 1, Section 71.970, Line 1, by inserting immediately after the numeral “71.970” the following: “1.”; and

Further amend Line 8 by inserting after all of said line the following:

**“2. The public service commission shall annually study the economic impact of the provisions of this section and prepare and submit a report to the general assembly by December thirty-first of each year.”; and**

Further amend said bill, Page 4, Section 392.410, Line 77, by inserting after all of said line the following:

**“8. The public service commission shall annually study the economic impact of the provisions of this section and prepare and submit a report to the general assembly by December thirty-first of each year.”.**

*Senate Amendment No. 4*

AMEND Senate Committee Substitute for House Bill No. 1402, Page 1, In the Title, Lines 3-4, by striking said lines and inserting in lieu thereof the following: “relating to utility projects, with an emergency clause for certain sections.”; and

Further amend said bill, Page 4, Section 392.410, Line 77, by inserting after all of said line the following:

**“393.310. 1. This section shall only apply to gas corporations as defined in section 386.020, RSMo. This section shall not affect any existing laws and shall only apply to the program established pursuant to this section.**

**2. As used in this section, the following terms mean:**

**(1) “Aggregate”, the combination of natural gas requirements of eligible school entities on a Missouri gas corporation's delivery system and by interstate pipelines for the purpose of jointly purchasing natural gas supply;**

**(2) “Bundled charge”, the total price paid by the eligible school entity for natural gas as delivered into the distribution system;**

**(3) “Commission”, the Missouri public service commission;**

**(4) “Delivery system”, the natural gas distribution and transmission lines which are owned by a Missouri gas corporation and charges for use of them are regulated by the commission;**

**(5) “Earnings neutrality”, setting the aggregation charge so that the revenues generated by the aggregation charge equal, as nearly as possible, the incremental costs caused by the experimental aggregation program;**

**(6) “Eligible school entity”, shall include any seven-director, urban or metropolitan school district as defined pursuant to section 160.011, RSMo, and shall also include, one year after the effective date of this section and thereafter, any school for elementary or secondary education situated in this state, whether a charter, private, or parochial school or school district;**

**(7) “Energy seller”, the entity that uses the delivery system of a gas corporation for delivery of natural gas supply from an interstate pipeline to the gas corporation's meter for use by a school or school district;**



(8) "Interstate pipeline", a natural gas pipeline which delivers natural gas supply from outside the state to a Missouri gas corporation's system and which is price regulated by the Federal Energy Regulatory Commission;

(9) "Intrastate pipeline", a natural gas pipeline which delivers natural gas supply from inside the state to a Missouri gas corporation's system and which is price regulated by the commission.

3. Each Missouri gas corporation shall file, by August 1, 2002, a set of experimental small volume transportation schedules or tariffs applicable the first year to public school districts and applicable to all school districts, whether charter, private, public, or parochial, thereafter.

4. The schedules or tariffs required pursuant to subsection 3 of this section shall, at a minimum:

(1) Provide for aggregate purchasing of natural gas requirements for eligible school entities by and through a not-for-profit school association, as the principal contracting party, require energy sellers to register with the commission pursuant to subsection 8 of this section and to transfer title to the gas corporation of any natural gas for aggregate purchase, and require the not-for-profit school association to provide energy sellers with bundled charge information on a monthly basis so that the gas corporation can collect local gross receipts taxes;

(2) Establish small volume natural gas delivery charges which are equal to commission-approved gas corporation charges for general utility natural gas service, less the gas corporation's cost of purchased natural gas supply and interstate pipeline charges, plus an aggregation and monthly balancing charge not to exceed four-tenths of one cent per therm delivered;

(3) Provide eligible school entities with the option of contracting with their gas corporation for interstate pipeline capacity equal to each eligible school entity's aggregate requirements. Eligible school entities shall pay market prices to the gas corporation for use of contracted interstate pipeline capacity at prices consistent with prices that would be received when posted for release with the interstate pipeline;

(4) Not require telemetry or special metering, except for individual school meters over one hundred thousand therms annually for purposes of daily balancing on the distributor, when required by the pipeline system, provided that the gas corporation shall use its best efforts to minimize related costs;

(5) Require each gas corporation to provide to each eligible school entity or its designated agent, at least five weekdays prior to the beginning of each month, usage and heating-degree-day information for each school facility for the same month during the previous year, and any other information the gas corporation considers relevant; and

(6) Impose penalties only in accordance with gas corporation tariffs if the projected daily quantities of natural gas are not delivered to the distributor's delivery system. Such penalties shall not exceed the penalties approved by the commission in the gas corporation's large volume transportation tariffs.

5. The commission may suspend the schedules or tariffs as required pursuant to subsection 3 of this section for a period ending no later than November 1, 2002, to examine the assumptions and estimates used and to review and ensure compliance with the requirements of this section.

6. Prior to September 1, 2003, and prior to September first of each succeeding year, the not-for-profit school association which administers experimental aggregate natural gas purchasing shall report to the commission the number of participating eligible school entities, usage and gas cost savings of each entity. Within ninety days after the receipt of such report, the commission shall report to the president pro tempore of the senate and speaker of the house of representatives on the progress and public benefit of the experimental small volume natural gas aggregation provided in this section. The report shall contain such information as the commission determines is necessary to allow the general assembly to determine whether the program shall be extended in duration and applicability.

7. Prior to June 1, 2003, and prior to June first of each succeeding year, each gas corporation shall file with the commission the gas corporation's revenues from the aggregation administrative and monthly balancing charges and its costs which are a direct result of implementing experimental small volume transportation for eligible school entities. As needed from time to time, and notwithstanding the general prohibition on single-issue ratemaking, the commission shall determine the aggregation and monthly balancing charge to maintain earnings neutrality for the gas corporation.

8. (1) Any energy seller that will be transferring natural gas to a gas corporation pursuant to the tariff described in this section shall first register with the commission by filing a written statement of its intent to provide such natural gas and must maintain such registration in order to continue providing natural gas to the gas corporation pursuant to such tariff.

(2) An energy seller registering with the commission shall provide the following information and update such information when and as requested by the commission:

- (a) Corporate name, address, and most recent annual report;
- (b) Name and address of any affiliate of the applicant that is engaged in the provision of natural gas;
- (c) A bond or other demonstration of financial capability to satisfy potential claims or expenses that can reasonably be anticipated to occur as part of the applicant's operations under its certificate, including a failure to honor contractual commitments. The adequacy of the bond or demonstration shall be determined by the commission from time to time;
- (d) A description of the applicant's technical, financial, and managerial resources and abilities to comply with all applicable federal, state, regional, and industry statutes, rules, policies, practices, and procedures for the provision of natural gas; and

(e) Evidence that the applicant has an office in this state and an agent for service of process.

9. The commission may adopt by order such other procedures not inconsistent with this section which the commission determines are reasonable or necessary to administer the experimental program. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

10. This section shall terminate June 30, 2005.

393.700. Sections 393.700 to 393.770 [and section 386.025, RSMo,] shall be known as the "Joint Municipal Utility Commission Act".

393.705. As used in sections 393.700 to 393.770 [and sections 386.025, RSMo, and 393.295], the following terms shall, unless the context clearly indicates otherwise, have the following meanings:

(1) "Bond" or "bonds", any bonds, interim certificates, notes, debentures or other obligations of a commission issued pursuant to sections 393.700 to 393.770 [and sections 386.025, RSMo, and 393.295];

(2) "Commission", any joint municipal utility commission established by a joint contract [under] **pursuant to** sections 393.700 to 393.770 [and sections 386.025, RSMo, and 393.295];

(3) "Contracting municipality", each municipality which is a party to a joint contract establishing a commission [under] **pursuant to** sections 393.700 to 393.770 [and sections 386.025, RSMo, and 393.295], a water supply district formed [under] **pursuant to** the provisions of chapter 247, RSMo, or a sewer district formed pursuant to the provisions of chapter 204, RSMo, or chapter 249, RSMo;

(4) "Joint contract", the contract entered into among or by and between two or more of the following contracting entities for the purpose of establishing a commission:

- (a) Municipalities;
- (b) Public water supply districts;
- (c) Sewer districts;
- (d) Nonprofit water companies; or
- (e) Nonprofit sewer companies;

(5) "Person", a natural person, cooperative or private corporation, association, firm, partnership, or business trust of any nature whatsoever, organized and existing [under] **pursuant to** the laws of any state or of the United States and any municipality or other municipal corporation, governmental unit, or public corporation created under the laws of this state or the United States, and any person, board, or other body declared by the laws of any state or the United States to be a department, agency or instrumentality thereof;

(6) "Project", the purchasing, construction, extending or improving of any revenue-producing water, sewage, gas or electric light works, heating or power plants, including all real and personal property of any nature whatsoever to be used in connection therewith, together with all parts thereof and appurtenances thereto, used or useful in the generation, production, transmission, distribution excluding retail sales, purchase, sale, exchange, transport and treatment of sewage or interchange of water, sewage, electric power and energy, or any interest therein or right to capacity thereof and the acquisition of fuel of any kind for any such purposes.

393.715. 1. The general powers of a commission to the extent provided in section 393.710 [herein and subject to the provisions of section 393.765 herein] shall include the power to:

(1) Plan, develop, acquire, construct, reconstruct, operate, manage, dispose of, participate in, maintain, repair, extend or improve one or more projects, either exclusively or jointly or by participation with electric cooperative associations, municipally owned or public utilities or acquire any interest in or any rights to capacity of a project, within or outside the state, and act as an agent, or designate one or more other persons participating in a project to act as its agent, in connection with the planning, acquisition, construction, operation, maintenance, repair, extension or

improvement of such project;

(2) Acquire, sell, distribute and process fuels necessary to the production of electric power and energy; provided, however, the commission shall not have the power or authority to erect, own, use or maintain a transmission line which is parallel or generally parallel to another transmission line in place within a distance of two miles, which serves the same general area sought to be served by the commission unless the public service commission finds that it is not feasible to utilize the transmission line which is in place;

(3) Acquire by purchase or lease, construct, install, and operate reservoirs, pipelines, wells, check dams, pumping stations, water purification plants, and other facilities for the production, wholesale distribution, and utilization of water and to own and hold such real and personal property as may be necessary to carry out the purposes of its organization; provided, however, that a commission shall not sell or distribute water, at retail or wholesale, within the certificated area of a water corporation which is subject to the jurisdiction of the public service commission unless the sale or distribution of water is within the boundaries of a public water supply district or municipality which is a contracting municipality in the commission and the commission has obtained the approval of the public service commission prior to commencing such said sale or distribution of water;

(4) Acquire by purchase or lease, construct, install, and operate lagoons, pipelines, wells, pumping stations, sewage treatment plants and other facilities for the treatment and transportation of sewage and to own and hold such real and personal property as may be necessary to carry out the purposes of its organization;

(5) Enter into operating, franchises, exchange, interchange, pooling, wheeling, transmission and other similar agreements with any person;

(6) Make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the commission;

(7) Employ agents and employees;

(8) Contract with any person, within or outside the state, for the construction of any project or for any interest therein or any right to capacity thereof, without advertising for bids, preparing final plans and specifications in advance of construction, or securing performance and payment of bonds, except to the extent and on such terms as its board of directors shall determine. Any contract entered into pursuant to this subdivision shall contain a provision that the requirements of sections 290.210 to 290.340, RSMo, shall apply;

(9) Purchase, sell, exchange, transmit, treat, dispose or distribute water, sewage, gas, heat or electric power and energy, or any by-product resulting therefrom, within and outside the state, in such amounts as it shall determine to be necessary and appropriate to make the most effective use of its powers and to meet its responsibilities, and to enter into agreements with any person with respect to such purchase, sale, exchange, treatment, disposal or transmission, on such terms and for such period of time as its board of directors shall determine.

A commission may not sell or distribute water, gas, heat or power and energy, or sell sewage service at retail to ultimate customers outside the boundary limits of its contracting municipalities except pursuant to subsection 2 or 3 of this section;

(10) Acquire, own, hold, use, lease, as lessor or lessee, sell or otherwise dispose of, mortgage, pledge, or grant a security interest in any real or personal property, commodity or service or interest therein;

(11) Exercise the powers of eminent domain for public use as provided in chapter 523, RSMo, except that the power of eminent domain shall not be exercised against any electric cooperative association, municipally owned or public utility;

(12) Incur debts, liabilities or obligations including the issuance of bonds pursuant to the authority granted in section 27 of article VI of the Missouri Constitution;

(13) Sue and be sued in its own name;

(14) Have and use a corporate seal;

(15) Fix, maintain and revise fees, rates, rents and charges for functions, services, facilities or commodities provided by the commission;

(16) Make, and from time to time, amend and repeal, bylaws, rules and regulations not inconsistent with this section to carry into effect the powers and purposes of the commission;

(17) Notwithstanding the provisions of any other law, invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, including the proceeds from the sale of any bonds, in such obligations, securities and other investments as the commission deems proper;

(18) Join organizations, membership in which is deemed by the board of directors to be beneficial to accomplishment of the commission's purposes;

(19) Exercise any other powers which are deemed necessary and convenient by the commission to effectuate the purposes of the commission; and

(20) Do and perform any acts and things authorized by this section under, through or by means of an agent or by contracts with any person.

2. When a municipality purchases a privately owned water utility and a commission is created pursuant to sections 393.700 to 393.770, the commission may continue to serve those locations previously receiving water from the private utility even though the location receives such service outside the geographical area of the municipalities forming the commission. New water service may be provided in such areas if the site to receive such service is located within one-fourth of a mile from a site serviced by the privately owned water utility.

3. When a commission created by any of the contracting entities listed in subdivision (4) of section 393.705 becomes a successor to any nonprofit water corporation, nonprofit sewer corporation or other nonprofit agency or entity organized to provide water or sewer service, the commission may continue to serve, as well as provide new service to, those locations and areas previously receiving water or sewer service from such nonprofit entity, regardless of whether or not such location receives such service outside the geographical service area of the contracting entities forming such commission; provided that such locations and areas previously receiving water and sewer service from such nonprofit entity are not located within:

(1) Any county of the first classification with a population of more than six hundred thousand and less than nine hundred thousand;

(2) The boundaries of any sewer district established pursuant to article VI, section 30(a) of the Missouri Constitution; or

(3) The certificated area of a water or sewer corporation that is subject to the jurisdiction of the public service commission.

393.725. 1. Bonds issued pursuant to sections 393.700 to 393.770 by a commission shall be payable, as to the principal and interest, solely from the net revenues derived by the commission from the operation of the commission's project or projects, after providing for the costs of operation and maintenance of the commission's project or projects, or from any other funds made available to the commission from sources other than from proceeds of taxation.

2. Each bond issued pursuant to the provisions of sections 393.700 to 393.770 shall contain a statement that such bond is not an indebtedness of the state, or of any political subdivision thereof, other than the joint municipal utility commission, or of the contracting municipalities, the contracting public water supply districts or the contracting sewer districts, but shall be special obligations of the commission only and that neither the faith and credit nor the taxing power of the state or of any political subdivision thereof, or of the contracting municipalities, contracting public water supply districts or contracting sewer districts is pledged to the payment of or the interest on such bonds. The bonds shall not be deemed to be an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. Neither the members of the board of directors of a commission nor any person executing the bonds shall be liable personally on the bonds by reason of the lawful issuance thereof.

3. A commission, subject to the provisions of section 393.760, may from time to time issue its bonds in such principal amounts as it deems necessary to provide sufficient funds to purchase, construct, extend or improve a project, including the establishment or increase of reserves, interest accrued during construction of such project and for a period not exceeding one year after the completion of construction of such project, and the payment of all other costs or expenses of the commission incident to and necessary or convenient to carry out its corporate purposes and powers.

4. Bonds of a commission shall be authorized by resolution of the board of directors and may be issued under such resolution or under a trust indenture or other security instrument, as authorized by the resolution, in one or more series and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form, either coupon, registered or both, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places within or without the state, and be subject to such terms of redemption, with or without premium, as such resolution, trust indenture or other security instrument may provide, and without limitation by the provisions of any other law limiting amounts, maturities or interest rates.

5. The bonds shall be sold at public sale [and in the event of a rejection of all bids by the commission, the bonds may be sold] **or** at private sale as the commission may provide and at such price or prices as the commission shall determine [or for a joint municipal utility commission within a fifteen-county area being served with water from a lake constructed by the U.S. Army Corps of Engineers and located north of the Missouri River, if the commission determines it is in the best interest of the commission, at private sale. The reason or reasons why private sale is in the best interest of the people served shall be set forth in the order or resolution authorizing the private sale]. The decision of the

commission shall be conclusive.

6. The bonds may be signed by manual or facsimile signatures as determined by resolution of the board. In case any of the officers whose signatures appear on any bonds or coupons shall cease to be such officers before the delivery of such obligations, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if the officers had remained in office until such delivery.

7. Pending preparation of definitive bonds, a commission may issue temporary bonds which shall be exchanged for the definitive bonds when such bonds shall have been executed and are available for delivery.

8. All bonds issued under the provisions of sections 393.700 to 393.770 shall be negotiable instruments [under] **pursuant to** the provisions of the uniform commercial code of the state.

393.740. 1. All bonds issued pursuant to sections 393.700 to 393.770 and all income or interest thereon shall be exempt from all state taxes, except estate and transfer taxes.

2. All property, real and tangible personal, **except for properties acquired exclusively for water supply districts**, acquired by the bonds issued pursuant to sections 393.700 and 393.770 or otherwise acquired by a commission shall be subject to taxation for state, county, and municipal and other local purposes **only** to the same extent as [bridge and public utility companies under the provisions of sections 153.030, RSMo, and 138.420, RSMo, except for those properties acquired exclusively for water supply districts] **if such property was owned directly by each participating municipality in proportion to the percentage of each municipality's interest or participation in the facility or property.**

[386.025. Any joint municipal utility commission established by contract for the purpose of owning, operating, controlling or managing all or part of any gas or electric light works, heating or power plants, or gas or electrical production, distribution or transmission facilities shall be considered a gas corporation or electrical corporation, as the case may be, as those terms are defined in this chapter.]

[393.295. All provisions of this chapter and chapter 386, RSMo, concerning court proceedings and the jurisdiction, supervision, powers and duties of the public service commission with reference to gas corporations and electrical corporations, including, but not limiting by enumeration those provisions concerning supervision, investigations, complaints, hearings, reports, approval of certificates of franchises, granting of certificates, approval of issues of stocks, bonds, notes and other evidence of indebtedness, keeping of accounts, fixing of just and reasonable rates, which shall be based on costs associated with any property of such corporations, shall be and are hereby made fully applicable to any joint municipal utility commission which owns, operates, controls or manages all or part of any gas or electric light works, heating or power plants, electrical energy resources or gas or electrical production, distribution or transmission facilities in this state. Nothing contained herein, however, shall affect the rights, privileges or duties of existing corporations pursuant to this chapter, including the construction of facilities within an existing certificated area.]

[393.765. All provisions of chapters 386, RSMo, and 393 in reference to the jurisdiction, supervision, powers and duties of the public service commission with reference to gas and electrical corporations are hereby made applicable to any commission proposed to be created pursuant to sections 393.700 to 393.770 which commission proposes to own, operate, control or manage any gas or electrical light works, heating or power plant in this state, and such provisions shall have full application thereto.]

Section B. Because immediate action is necessary to authorize certain utility projects, the repeal of sections 386.025, 393.295 and 393.765, the repeal and reenactment of sections 393.700, 393.705, 393.715, 393.725 and 393.740, and the enactment of section 393.310, of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal of sections 386.025, 393.295 and 393.765, the repeal and reenactment of sections 393.700, 393.705, 393.715, 393.725 and 393.740, and the enactment of section 393.310 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND Senate Committee Substitute for House Bill No. 1402, Page 3, Section 392.410, Lines 64-65, by striking the following: “of the political subdivision and any additional geographic areas”.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Bill No. 1402, Page 1, Section 71.970, Line 8, by inserting after all of said line the following:

**“182.825. As used in sections 182.825 and 182.827, the following terms mean:**

- (1) “Pornographic for minors”, as that term is defined in section 573.010, RSMo;**
- (2) “Public access computer”, a computer that is:**
  - (a) Located in an elementary or secondary public school or public library;**
  - (b) Frequently or regularly used directly by a minor; and**
  - (c) Connected to any computer communication system.**

**182.827. 1. A public school that provides a public access computer shall do one or both of the following:**

**(1) Equip the computer with software that will limit minors' ability to gain access to material that is pornographic for minors or purchase Internet connectivity from an Internet service provider that provides filter services to limit access to material that is pornographic for minors;**

**(2) Develop and implement by January 1, 2003, a policy that is consistent with community standards and establishes measures to restrict minors from gaining computer access to material that is pornographic for minors.**

**2. The department of elementary and secondary education shall establish rules and regulations for the enforcement of subsection 1 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.**

**3. A public library that provides a public access computer shall do one or both of the following:**

**(1) Equip the computer with software that will limit minors' ability to gain access to material that is pornographic for minors or purchase Internet connectivity from an Internet service provider that provides filter services to limit access to material that is pornographic for minors;**

**(2) Develop and implement by January 1, 2003, a policy that is consistent with community standards and establishes measures to restrict minors from gaining computer access to material that is pornographic for minors.**

**4. The secretary of state shall establish rules and regulations for the enforcement of subsection 3 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.**

**5. Any public school board member, officer or employee, including library personnel, who willfully neglects or refuses to perform a duty imposed by this section shall be subject to the penalties imposed pursuant to section 162.091, RSMo.**

**6. A public school or public school board member, officer or employee, including library personnel; public library or public library board member, officer, employee or trustee that complies with subsection 1 or 3 of this section or an Internet service provider providing Internet connectivity to such public school or library in order to comply with this section shall not be criminally liable or liable for any damages that might arise from a minor gaining access to material that is pornographic for minors through the use of a public access computer that is owned or controlled by the public school or public library.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 9*

AMEND Senate Committee Substitute for House Bill No. 1402, Page 4, Section 392.410, Line 76, by adding after the “.” on said line the following:

- “386.887. 1. This section shall be known and may be cited as the "Consumer Clean Energy Act".**
- 2. As used in this section, the following terms mean:**
- (1) "Commission", the public service commission of the state of Missouri;**
  - (2) "Customer-generator", a consumer of electric energy who purchases electric energy from a retail electric energy supplier and is the owner of a qualified net metering unit;**
  - (3) "Local distribution system", facilities for the distribution of electric energy to the ultimate consumer thereof;**
  - (4) "Net energy metering", a measurement of the difference between the electric energy supplied to a customer-generator by a retail electric supplier and the electric energy generated by a customer-generator that is delivered to a local distribution system at the same point of interconnection;**
  - (5) "Qualified net metering unit", an electric generation unit which:**
    - (a) Is owned by a customer-generator;**
    - (b) Is a hydrogen fuel cell or is powered by sun, wind or biomass;**
    - (c) Has an electrical generating system with a capacity of not more than one hundred kilowatts;**
    - (d) Is located on the premises that are owned, operated, leased or otherwise controlled by the customer-generator;**
    - (e) Is interconnected and operates in parallel and in synchronization with a retail electric supplier; and**
    - (f) Is intended primarily to offset part or all of the customer-generator's own electrical requirements;**
  - (6) "Retail electric supplier" or "supplier", any person that sells electric energy to the ultimate consumer thereof;**
  - (7) "Value of electric energy", the total resulting from the application of the appropriate rates, which may be time of use rates at the option of the supplier, to the quantity of electric energy produced from qualified net metering units or to the quantity of electric energy sold to customer-generators.**
- 3. By August 28, 2003, each retail electric supplier shall adopt rates, charges, conditions and contract terms for the purchase from and the sale of electric energy to customer-generators. The commission, in consultation with the department and retail electric suppliers, shall develop a simple contract for such transactions and make it available to eligible customer-generators and retail electric suppliers. Upon agreement of the wholesale generator supplying electric energy to the retail electric supplier, at the option of the retail electric supplier, the purchase from the customer-generator may be by the wholesale generator. Any time of use or other rates charged for electric energy sold to customer-generators shall be the same as those made available to any other customers with the same net electric energy usage pattern including minimum bills and service availability charges. Rates for electric energy generated by the customer-generator from a qualified net generating unit and sold to the retail electric supplier or its wholesale generator shall be the avoided cost (time of use or non-time of use) of the generation used by the retail electric supplier to serve its other customers. Whenever a customer-generator with a qualified net generating unit uses any energy generation method entitled to eligibility under a minimum renewable energy generation requirement, the total amount of energy generated by that method shall be treated as generated by the generator providing electric energy to the retail electric supplier for purposes of such requirement. The wholesale generator, at the option of the retail electric supplier, shall receive credit for emissions avoided by the wholesale generator because of electric energy purchased by the wholesale generator or the retail electric supplier from a qualified net metering unit. If the supplier is required to file tariffs with the commission, the commission shall review the reasonableness of the charges provided in such tariffs.**
- 4. Each retail electric supplier shall calculate the net energy measurement for a customer-generator in the following manner:**
- (1) The retail electric supplier shall individually measure both the electric energy produced and the electric energy consumed by the customer-generator during each billing period using an electric metering capable of such function, either by a single meter capable of registering the flow of electricity in two directions or by using multiple meters;**
  - (2) If the value of the electric energy supplied by the retail electric supplier exceeds the value of the**

electric energy delivered by the customer-generator to the retail electric supplier during a billing period, then the customer-generator shall be billed for the net value of the electric energy supplied by the retail electric supplier in accordance with the rates, terms and conditions established by the retail electric supplier for customer-generators; and

(3) If the value of the electric energy generated by the customer-generator exceeds the value of the electric energy supplied by the retail electric supplier, then the customer-generator:

(a) Shall be billed for the appropriate customer charges for that billing period; and

(b) Shall be credited for the excess value of the electric energy generated and supplied to the retail electric supplier during the billing period, with this credit appearing on the bill for the following billing period.

5. A retail electric supplier shall not be required to provide net metering service with respect to additional customer-generators after the date during any calendar year on which the total generating capacity of all customer-generators with qualified net metering units served by that retail electric supplier is equal to or in excess of the lesser of ten thousand kilowatts or one-tenth of one percent of the capacity necessary to meet the company's aggregate customer peak demand for the preceding calendar year.

6. Each retail electric supplier shall maintain and make available to the public records of the total generating capacity of customer-generators of the supplier that are using net metering, the type of generating systems and energy source used by the electric generating systems which customer-generators use. Each such retail electric supplier shall notify the commission when the total generating capacity of such customer-generators is equal to or in excess of the lesser of ten thousand kilowatts or one-tenth of one percent of the capacity necessary to meet the company's aggregate customer peak demand for the preceding calendar year.

7. Each qualified net metering unit used by a customer-generator shall meet all applicable safety, performance, synchronization, interconnection and reliability standards established by the commission, the National Electrical Safety Code, National Electrical Code, the Institute of Electrical, Electronics Engineers, and Underwriters Laboratories. Each qualified net metering unit used by a customer-generator shall also meet all reasonable standards and requirements established by the retail electric supplier to enhance employee, consumer and public safety and the reliability of electric service to the customer-generator and other consumers receiving electric service from the retail electric supplier. Each qualified net metering unit used by a customer-generator shall also comply with all applicable local building, electrical and safety codes. The customer-generator shall obtain liability insurance coverage in amounts and coverage as set by the commission by rule applicable to all qualified net metering units.

8. The cost of meeting the standards of subsection 7 of this section and any cost to install additional controls, to install additional metering, to perform or pay for additional tests or analysis of the effect of the operation of the qualified net metering unit on the local distribution system shall be paid by the customer-generator.

9. Applications by a customer-generator for interconnection to the distribution system shall include a copy of the plans and specifications for the qualified net metering unit for review and acceptance by the retail electric supplier. Prior to connection of the qualified net metering unit to the distribution system, the customer-generator will furnish the retail electric supplier a certification from a qualified professional electrician or engineer that the installation meets the requirements of subsection 7 of this section. Such applications shall be reviewed and responded to by the retail electric supplier within ninety days. If the application for interconnection is approved by the retail electric supplier, the retail electric supplier shall complete the interconnection within fifteen days if electric service already exists to the premises, unless a later date is mutually agreeable to both the customer-generator and the retail electric supplier.

10. The sale of qualified net metering units shall be subject to the provisions of sections 407.700 to 407.720, RSMo. The attorney general shall have the authority to promulgate in accordance with the provisions of chapter 536, RSMo, rules regarding mandatory disclosures of information by sellers of qualified net metering units. Such rules shall as a minimum require disclosure of the standards of subsection 7 of this section and potential liability of the owner or operator of a qualified net metering unit to third persons for personal injury or property damage as a result of negligent operation of a qualified net metering unit. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become



effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2078**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SCS SB 712, as amended**: Senators Singleton, Steelman, Gross, Caskey and Quick.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SCS SB 810, as amended**: Senators Dougherty, Stoll, Bentley, Sims and Steelman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

### **BILL CARRYING REQUEST MESSAGE**

**HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, as amended**, relating to design-build contracts, was taken up by Representative Koller.

Representative Koller moved that the House refuse to recede from its position on **HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **THIRD READING OF SENATE BILLS**

**HCS SB 1039**, relating to municipal housing authority commission, was taken up by Representative Curls.

Representative Curls offered **HS HCS SB 1039**.

Representative Curls offered **House Amendment No. 1**.

**House Amendment No. 1** was withdrawn.

Representative Rector offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 1039, Page 6, Section 99.134, Line 23, by adding after the word “expenses” the following: “, **not to exceed \$1,000.00 per person per year**,”.

Representative Rector moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Curls, **HS HCS SB 1039** was adopted.

On motion of Representative Curls, **HS HCS SB 1039** was read the third time and passed by the following vote:

AYES: 089

Abel	Barnitz	Barry 100	Berkowitz	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Harlan	Hartzler
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Ransdall	Reid	Relford	Reynolds	Rizzo
Ross	Scheve	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 069

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Gaskill	Griesheimer	Hanaway
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelly 144	King	Legan
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Quinn	Rector

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Reinhart  
Schwab  
Surface

Richardson  
Scott  
Townley

Ridgeway  
Secrest  
Vogel

Roark  
Shoemaker  
Wright

Robirds  
St. Onge

PRESENT: 001

Luetkenhaus

ABSENT WITH LEAVE: 003

Baker

Bland

Paone

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider assumed the Chair.

**HCS SCS SBs 1061 & 1062**, relating to health insurance, was taken up by Representative Harlan.

Representative Harlan offered **HS HCS SCS SBs 1061 & 1062**.

Representative Harlan offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, Page 21, Section 376.811, Line 20, by striking the word "**of**" on said line and inserting in lieu thereof the following: "**or**"; and

Further amend said bill, Page 30, Section 376.840, Lines 39 through 48, by striking all of said lines; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Harlan, **House Amendment No. 1** was adopted.

Representative Graham offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, by inserting at the appropriate location the following section:

**"376.1221. 1. Every health insurer and health benefit plan, as defined in section 376.1350, offering health benefit plans that are delivered, issued for delivery, continued or renewed after January 1, 2003, shall provide coverage for hearing aids that are prescribed, fitted, and dispensed by appropriately licensed professionals to dependent children through age nineteen covered under a policy, contract, or plan.**

**2. The hearing aids covered under this section shall:**

**(1) Be an electronic wearable device designed to aid or compensate for human hearing loss and any parts, attachments, or accessories, including earmolds;**

**(2) Be of a design and circuitry to optimize audibility and listening skills in the environment commonly**

experienced by children; and

(3) Have multiple-band wide dynamic range compression and direct audio input compatibility.

3. The coverage provided by this section shall include coverage for replacement hearing aids for the child at least once every three years.

4. Hearing evaluations, hearing aids, prescriptions, fittings, and consumable supplies shall be reimbursed according to the contracted fee schedule or according to the policy. A health insurer or health benefit plan subject to this section may limit the benefit payable for hearing aids to one thousand two hundred fifty dollars for each ear with a hearing loss. An insured or enrollee who selects a hearing aid that costs more than the benefit payable pursuant to this section may pay the difference between the price of the hearing aid and the benefit payable without financial or contractual penalty to the provider of the hearing aid.

5. Nothing in this section shall prohibit a health insurer or health benefit plan from providing coverage that is greater than or more favorable to enrollees than the coverage provided by this section.

6. The health care service required by this section shall not be subject to a deductible or co-payment that exceeds twenty percent of the actual covered service costs. No health insurer or health benefit plan subject to this section shall request or require hearing acuity information from or about persons applying for coverage.

7. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance.

8. The director of the department of insurance may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 2** was adopted.

Representative Luetkenhaus offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, by inserting at the appropriate location the following section:

"376.1600. Any health carrier, as defined by section 376.1350, providing group health insurance plans or group health benefits to an employer having a group of twenty-five employees or more shall, upon request by the employer or the employer's agent of record, provide a statement of the annual claims history for each of the prior three years, or the total experience if the coverage has been in effect less than three years. The information shall be provided within thirty days of such request and shall include the total aggregate amount of claims paid and the total number of claims filed for each annual period. The information may be used by the employer or the employer's agent of record for the sole purpose of evaluating and marketing the group insurance program. The information provided to the employer or the employer's agent of record shall be furnished in a manner that does not individually identify an employee or an employee's family member and shall comply with all applicable federal and state privacy laws regarding the disclosure of health records."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Luetkenhaus, **House Amendment No. 3** was adopted by the following vote:

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AYES: 089

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Bonner	Britt	Burcham	Burton	Byrd
Campbell	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Gambaro	Gratz	Green 15	Griesheimer
Hampton	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Holt	Hoppe	Hunter
Jetton	Johnson 90	Jolly	Kelley 47	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Overschmidt	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Selby
Shoemaker	St. Onge	Surface	Townley	Treadway
Wagner	Ward	Wright	Mr. Speaker	

NOES: 062

Baker	Barry 100	Berkowitz	Boucher	Bowman
Boykins	Bray 84	Brooks	Carnahan	Clayton
Copenhaver	Crump	Daus	Davis	Farnen
Foley	Franklin	Fraser	Froelker	Gaskill
George	Graham	Hagan-Harrell	Harding	Harlan
Haywood	Hilgemann	Hollingsworth	Hosmer	Johnson 61
Jones	Kelly 27	Kelly 36	Lawson	Lowe
Marsh	Mays 50	McKenna	Merideth	Monaco
Paone	Ransdall	Relford	Rizzo	Scheve
Seigfreid	Shelton	Shields	Shoemyer	Skaggs
Smith	Troupe	Van Zandt	Villa	Vogel
Walker	Walton	Whorton	Williams	Willoughby
Wilson 25	Wilson 42			

PRESENT: 000

ABSENT WITH LEAVE: 011

Abel	Bland	Curls	Green 73	Hanaway
Hickey	Kelly 144	King	Koller	Ostmann
Thompson				

VACANCIES: 001

### Representative Portwood offered **House Amendment No. 4.**

#### *House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, Page 3, Section 354.085, Line 23, by inserting after all of said line the following:

"354.400. As used in sections 354.400 to 354.535, the following terms shall mean:

(1) "Basic health care services", health care services which an enrolled population might reasonably require in order to be maintained in good health, including, as a minimum, emergency care, inpatient hospital and physician care,

**and chiropractic care, as defined in chapter 331, RSMo, and outpatient medical and chiropractic services;**

- (2) "Community-based health maintenance organization", a health maintenance organization which:
  - (a) Is wholly owned and operated by hospitals, hospital systems, physicians, or other health care providers or a combination thereof who provide health care treatment services in the service area described in the application for a certificate of authority from the department of insurance;
  - (b) Is operated to provide a means for such health care providers to market their services directly to consumers in the service area of the health maintenance organization;
  - (c) Is governed by a board of directors that exercises fiduciary responsibility over the operations of the health maintenance organization and of which a majority of the directors consist of equal numbers of the following:
    - a. Physicians licensed pursuant to chapter 334, RSMo;
    - b. Purchasers of health care services who live in the health maintenance organization's service area;
    - c. Enrollees of the health maintenance organization elected by the enrollees of such organization; and
    - d. Hospital executives, if a hospital is involved in the corporate ownership of the health maintenance organization;
  - (d) Provides for utilization review, as defined in section 374.500, RSMo, under the auspices of a physician medical director who practices medicine in the service area of the health maintenance organization, using review standards developed in consultation with physicians who treat the health maintenance organization's enrollees;
  - (e) Is actively involved in attempting to improve performance on indicators of health status in the community or communities in which the health maintenance organization is operating, including the health status of those not enrolled in the health maintenance organization;
  - (f) Is accountable to the public for the cost, quality, and access of health care treatment services and for the effect such services have on the health of the community or communities in which the health maintenance organization is operating on a whole;
  - (g) Establishes an advisory group or groups comprised of enrollees and representatives of community interests in the service area to make recommendations to the health maintenance organization regarding the policies and procedures of the health maintenance organization;
  - (h) Enrolls fewer than fifty thousand covered lives;
- (3) "Covered benefit" or "benefit", a health care service to which an enrollee is entitled under the terms of a health benefit plan;
- (4) "Director", the director of the department of insurance;
- (5) "Emergency medical condition", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent lay person, possessing an average knowledge of health and medicine, to believe that immediate medical care is required, which may include, but shall not be limited to:
  - (a) Placing the person's health in significant jeopardy;
  - (b) Serious impairment to a bodily function;
  - (c) Serious dysfunction of any bodily organ or part;
  - (d) Inadequately controlled pain; or
  - (e) With respect to a pregnant woman who is having contractions:
    - a. That there is inadequate time to effect a safe transfer to another hospital before delivery; or
    - b. That transfer to another hospital may pose a threat to the health or safety of the woman or unborn child;
- (6) "Emergency services", health care items and services furnished or required to screen and stabilize an emergency medical condition, which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider;
- (7) "Enrollee", a policyholder, subscriber, covered person, or other individual participating in a health benefit plan;
- (8) "Evidence of coverage", any certificate, agreement, or contract issued to an enrollee setting out the coverage to which the enrollee is entitled;
- (9) "Health care services", any services included in the furnishing to any individual of medical, **chiropractic**, or dental care or hospitalization, or incident to the furnishing of such care or hospitalization, as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing, or healing human illness, injury, or physical disability;
- (10) "Health maintenance organization", any person which undertakes to provide or arrange for basic and supplemental health care services to enrollees on a prepaid basis, or which meets the requirements of section 1301 of

the United States Public Health Service Act;

(11) "Health maintenance organization plan", any arrangement whereby any person undertakes to provide, arrange for, pay for, or reimburse any part of the cost of any health care services and at least part of such arrangement consists of providing and assuring the availability of basic health care services to enrollees, as distinguished from mere indemnification against the cost of such services, on a prepaid basis through insurance or otherwise, and as distinguished from the mere provision of service benefits under health service corporation programs;

(12) "Individual practice association", a partnership, corporation, association, or other legal entity which delivers or arranges for the delivery of health care services and which has entered into a services arrangement with persons who are licensed to practice medicine, osteopathy, dentistry, chiropractic, pharmacy, podiatry, optometry, or any other health profession and a majority of whom are licensed to practice medicine or osteopathy. Such an arrangement shall provide:

(a) That such persons shall provide their professional services in accordance with a compensation arrangement established by the entity; and

(b) To the extent feasible for the sharing by such persons of medical and other records, equipment, and professional, technical, and administrative staff;

(13) "Medical group/staff model", a partnership, association, or other group:

(a) Which is composed of health professionals licensed to practice medicine or osteopathy and of such other licensed health professionals (including dentists, chiropractors, pharmacists, optometrists, and podiatrists) as are necessary for the provisions of health services for which the group is responsible;

(b) A majority of the members of which are licensed to practice medicine or osteopathy; and

(c) The members of which (i) as their principal professional activity over fifty percent individually and as a group responsibility engaged in the coordinated practice of their profession for a health maintenance organization; (ii) pool their income from practice as members of the group and distribute it among themselves according to a prearranged salary or drawing account or other plan, or are salaried employees of the health maintenance organization; (iii) share medical and other records and substantial portions of major equipment and of professional, technical, and administrative staff; (iv) establish an arrangement whereby an enrollee's enrollment status is not known to the member of the group who provides health services to the enrollee;

(14) "Person", any partnership, association, or corporation;

(15) "Provider", any physician, hospital, or other person which is licensed or otherwise authorized in this state to furnish health care services;

(16) "Uncovered expenditures", the costs of health care services that are covered by a health maintenance organization, but that are not guaranteed, insured, or assumed by a person or organization other than the health maintenance organization, or those costs which a provider has not agreed to forgive enrollees if the provider is not paid by the health maintenance organization."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 4** was adopted by the following vote:

AYES: 121

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holt	Hoppe	Hunter	Jetton
Johnson 90	Jolly	Kelley 47	Kelly 36	Lawson
Legan	Liese	Linton	Lograsso	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer

Mays 50	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Treadway
Troupe	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 42	Wright

NOES: 024

Abel	Boucher	Clayton	Copenhaver	Daus
Fraser	Graham	Hagan-Harrell	Harding	Harlan
Haywood	Hollingsworth	Hosmer	Jones	Kelly 27
Lowe	McKenna	Scheve	Smith	Townley
Van Zandt	Villa	Williams	Wilson 25	

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 016

Baker	Ballard	Bland	Foley	Franklin
Green 73	Hickey	Holand	Kelly 144	King
Koller	Long	Murphy	O'Connor	Relford

VACANCIES: 001

Representative Barry offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, by inserting at the appropriate location the following section:

**"376.429. 1. All health benefit plans, as defined in section 376.1350, that are delivered, issued for delivery, continued or renewed on or after August 28, 2002, and providing coverage to any resident of this state shall provide coverage for routine patient care costs as defined in subsection 6 of this section incurred as the result of phase III or IV of a clinical trial that is approved by an entity listed in subsection 4 of this section and is undertaken for the purposes of the prevention, early detection, or treatment of cancer.**

**2. In the case of treatment under a clinical trial, the treating facility and personnel must have the expertise and training to provide the treatment and treat a sufficient volume of patients. There must be equal to or superior, noninvestigational treatment alternatives and the available clinical or preclinical data must provide a reasonable expectation that the treatment will be superior to the noninvestigational alternatives.**

**3. Coverage required by this section shall include coverage for routine patient care costs incurred for drugs and devices that have been approved for sale by the Food and Drug Administration (FDA), regardless of whether approved by the FDA for use in treating the patient's particular condition, including coverage for reasonable and medically necessary services needed to administer the drug or use the device under evaluation in the clinical trial.**

**4. Subsections 1 and 2 of this section requiring coverage for routine patient care costs shall apply to clinical trials that are approved or funded by one of the following entities:**



- (1) One of the National Institutes of Health (NIH);
  - (2) An NIH Cooperative Group or Center as defined in subsection 7 of this section;
  - (3) The FDA in the form of an investigational new drug application;
  - (4) The federal Departments of Veterans' Affairs or Defense;
  - (5) An institutional review board in this state that has an appropriate assurance approved by the Department of Health and Human Services assuring compliance with and implementation of regulations for the protection of human subjects (45 CFR 46); or
  - (6) A qualified research entity that meets the criteria for NIH Center support grant eligibility.
5. An entity seeking coverage for treatment, prevention, or early detection in a clinical trial approved by an institutional review board under subdivision (5) of subsection 4 of this section shall maintain and post electronically a list of the clinical trials meeting the requirements of subsections 2 and 3 of this section. This list shall include: the phase for which the clinical trial is approved; the entity approving the trial; whether the trial is for the treatment of cancer or other serious or life threatening disease, and if not cancer, the particular disease; and the number of participants in the trial. If the electronic posting is not practical, the entity seeking coverage shall periodically provide payers and providers in the state with a written list of trials providing the information required in this section.
6. As used in this section, the following terms shall mean:
- (1) "Cooperative group", a formal network of facilities that collaborate on research projects and have an established NIH-approved Peer Review Program operating within the group, including the NCI Clinical Cooperative Group and the NCI Community Clinical Oncology Program;
  - (2) "Multiple project assurance contract", a contract between an institution and the federal Department of Health and Human Services (DHHS) that defines the relationship of the institution to the DHHS and sets out the responsibilities of the institution and the procedures that will be used by the institution to protect human subjects;
  - (3) "Routine patient care costs", shall include coverage for reasonable and medically necessary services needed to administer the drug or device under evaluation in the clinical trial. Routine patient care costs include all items and services that are otherwise generally available to a qualified individual that are provided in the clinical trial except:
    - (a) The investigational item or service itself;
    - (b) Items and services provided solely to satisfy data collection and analysis needs and that are not used in the direct clinical management of the patient; and
    - (c) Items and services customarily provided by the research sponsors free of charge for any enrollee in the trial.
7. For the purpose of this section, providers participating in clinical trials shall obtain a patient's informed consent for participation on the clinical trial in a manner that is consistent with current legal and ethical standards. Such documents shall be made available to the health insurer upon request.
8. The provisions of this section shall not apply to a policy, plan or contract paid under Title XVIII or Title XIX of the Social Security Act."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Amendment No. 5** was adopted.

Representative Crump offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, by inserting at the appropriate location the following:

"103.095. Notwithstanding any other provision of law to the contrary, any member of the general assembly and any elected state official holding a statewide elective state office, who ceases to hold elective office, or any person employed by the elected official or employed by a member of the general assembly, whose employment is terminated

because such elected official or member of the general assembly ceases to hold elective office, may elect to continue insurance benefits to cover medical expenses provided under sections 103.003 to 103.175, by paying the cost of such benefits [as determined by the board] **in an amount equal to the total premium cost of such benefit at the rate established for current members of the general assembly, elected state officials, and employees of the general assembly.** If an eligible person does not elect to continue the coverage within thirty-one days from the last day of the month in which the eligible person ceases to be an employee, he **or she** may not later elect to be covered under this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Crump, **House Amendment No. 6** was adopted by the following vote:

AYES: 073

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Berkowitz	Black	Bonner	Boucher	Bowman
Britt	Brooks	Burton	Carnahan	Cierpiot
Clayton	Crump	Curls	Daus	Dolan
Enz	Fares	Franklin	Gratz	Hagan-Harrell
Hampton	Hartzler	Haywood	Henderson	Hilgemann
Holt	Hoppe	Johnson 61	Jones	Kelly 144
Legan	Liese	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Mays 50	Monaco	Murphy
Myers	Nordwald	O'Toole	Ostmann	Overschmidt
Paone	Ransdall	Rector	Relford	Ridgeway
Robirds	Secrest	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Surface	Townley	Treadway
Troupe	Villa	Walker	Walton	Ward
Whorton	Williams	Mr. Speaker		

NOES: 072

Abel	Bartle	Bearden	Behnen	Berkstresser
Boatright	Bray 84	Burcham	Byrd	Campbell
Champion	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Davis	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Green 15
Griesheimer	Hanaway	Harding	Harlan	Hegeman
Hendrickson	Hickey	Hohulin	Holand	Hollingsworth
Hunter	Johnson 90	Jolly	Kelley 47	Kelly 27
Kelly 36	Lawson	Linton	Lowe	May 149
Mayer	McKenna	Merideth	Miller	Moore
O'Connor	Phillips	Portwood	Purgason	Quinn
Reid	Reinhart	Reynolds	Rizzo	Roark
Ross	Scott	Shields	Shoemaker	Smith
St. Onge	Van Zandt	Vogel	Willoughby	Wilson 25
Wilson 42	Wright			

PRESENT: 006

Boykins	Jetton	Marsh	Naeger	Scheve
Wagner				

ABSENT WITH LEAVE: 011

Baker	Bland	Dempsey	Graham	Green 73
Hosmer	King	Koller	Richardson	Schwab
Thompson				

VACANCIES: 001

Representative Selby offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, by inserting at the appropriate location the following section:

"376.1219. 1. Each policy issued by an entity offering individual and group health insurance which provides coverage on an expense-incurred basis, individual and group health service or indemnity type contracts issued by a nonprofit corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group health arrangements to the extent not preempted by federal law, and all health care plans provided by managed health care delivery entities of any type or description, that are delivered, issued for delivery, continued or renewed in this state on or after September 1, 1997, shall provide coverage for formula **and low protein modified food products** recommended by a physician for the treatment of a patient with phenylketonuria or any inherited disease of amino and organic acids **who is covered under the policy, contract, or plan and who is less than six years of age.**

2. [The health care service required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the policy, contract or plan.] **For purposes of this section, "low protein modified food products" means foods that are specifically formulated to have less than one gram of protein per serving and are intended to be used under the direction of a physician for the dietary treatment of any inherited metabolic disease. Low protein modified food products do not include foods that are naturally low in protein.**

3. **The coverage required by this section may be subject to the same deductible for similar health care services provided by the policy, contract, or plan as well as a reasonable coinsurance or copayment on the part of the insured, which shall not be greater than fifty percent of the cost of the formula and food products, and may be subject to an annual benefit maximum of not less than five thousand dollars per covered child. Nothing in this section shall prohibit a carrier from using individual case management or from contracting with vendors of the formula and food products.**

[3.] 4. This section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare 35 supplement policy, long-term care policy, or any other supplemental policy as determined by the director of the department of insurance."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Selby, **House Amendment No. 7** was adopted.

Representative Lowe offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, Page 15, Section 376.810, Line 15, by inserting after the word "network" on said line the following: **"for such policy"**.

Representative Harlan offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, Page 15, Section 376.810, Line 15, by inserting after the word “network” on said line the following: “**for such policy or contract**”.

On motion of Representative Harlan, **House Substitute Amendment No. 1 for House Amendment No. 8** was adopted.

Representative Harlan offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, Page 14, Section 354.603, Line 10, by adding:

**“4. Or any managed care plan network that has been accredited by any accrediting agency approved by the department of insurance.”.**

On motion of Representative Harlan, **House Amendment No. 9** was adopted.

Representative Cunningham offered **House Amendment No. 10**.

Representative Riback Wilson (25) raised a point of order that **House Amendment No. 10** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Smith offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, Page 30, Line 48, by adding the following after said line:

**“191.890. 1. For purposes of this section, the following terms mean:**

**(1) "Disclose", to release, transfer, provide access to, or divulge in any other manner information outside the entity holding the information; except that disclosure shall not include any information divulged directly to the individual to whom such information pertains;**

**(2) "Federal privacy rules", the federal Health Insurance Portability and Accountability Act privacy rules promulgated by the United States Department of Health and Human Services, 45 CFR Parts 160 to 164;**

**(3) "Health information", any information or data except age or gender, whether oral or recorded in any form or medium, created by or derived from a health care provider or an individual that relates to;**

**(a) The past, present, or future physical, mental, or behavioral health or condition of an individual;**

**(b) The provision of health care to an individual; or**

- (c) Payment for the provision of health care to an individual;
  - (4) "Licensee", all licensed insurers, producers, and other persons licensed or required to be licensed, or authorized or required to be authorized, or registered or required to be registered pursuant to chapter 375, RSMo, a health maintenance organization holding or required to hold a certificate of authority pursuant to chapter 354, RSMo, or any other entity or person subject to the supervision and regulation of the department of insurance;
  - (5) "Nonpublic personal health information", health information:
    - (a) That identifies an individual who is the subject of the information; or
    - (b) With respect to which there is a reasonable basis to believe that the information could be used to identify an individual;
  - (6) "Person", without limitation, an individual, a foreign or domestic corporation whether for profit or not-for-profit, a partnership, a limited liability company, an unincorporated society or association, two or more persons having a joint or common interest, a governmental agency or any other entity.
2. Any person who in the ordinary course of business, practice of a profession, or rendering of a service creates, stores, receives, or furnishes nonpublic personal health information shall not disclose by any means of communication such nonpublic personal health information except pursuant to a prior written authorization, valid for one year, of the person to whom such information pertains or such person's authorized representative, if:
- (1) The nonpublic personal health information is disclosed in exchange for consideration to an affiliate or other third party; or
  - (2) The purpose of the disclosure is:
    - (a) For the marketing of services or goods for personal, family, or household purposes;
    - (b) To facilitate an employer's employment-related decisions regarding hiring, termination, and the establishment of any other conditions of employment, except as necessary to provide health or other benefits to an existing employee;
    - (c) For use in connection with the evaluation of an existing or requested extension of credit for personal, family, or household purposes; or
    - (d) To deliberately or maliciously cause harm to the person to whom the nonpublic personal health information pertains or to a person who creates, stores, or receives the nonpublic personal health information, except as necessary to conduct the business, practice, or service offered by the disclosing person or entity.
3. Nothing in this section shall be deemed to prohibit any disclosure of nonpublic personal health information as is necessary to comply with any other state or federal law, or a court order.
4. Any person other than a licensee who knowingly violates the provisions of this section shall be assessed an administrative penalty of not more than five hundred dollars for each violation of this section. An administrative penalty pursuant to this section may be assessed by a state agency with primary regulatory authority over a person, by the attorney general upon referral by a state agency with primary regulatory authority over a person, or by the attorney general if no state agency has primary regulatory authority over the person. A state agency has primary regulatory authority over a person if the state agency licenses, certifies or examines the business, profession or services of the person. No person shall be subject to administrative penalties pursuant to this subsection from more than one state agency with respect to the same violation. Any administrative penalty imposed pursuant to this subsection shall be paid into the school fund as provided by law for other fines and penalties.
5. To the extent a person other than a licensee is subject to and complies with the federal Health Insurance Portability and Accountability Act privacy rules promulgated by the United States Department of Health and Human Services, 45 CFR Parts 160 to 164 (the federal privacy rules), such person shall be deemed to be in compliance with this section. Until April 14, 2003, a person other than a licensee that is subject to the federal privacy rules shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.
6. Irrespective of whether a licensee is subject to the federal privacy rules, if a licensee complies with all requirements of the federal privacy rules except for the effective date provision, the licensee shall be deemed to be in compliance with this section. Until April 14, 2003, a licensee shall be deemed to be in compliance with this section upon demonstration of a good faith effort to comply with the requirements of the federal privacy rules.
7. If a licensee complies with the model regulation adopted on September 26, 2000, by the National Association of Insurance Commissioners entitled "Privacy of Consumer Financial and Health Information

Regulation", the licensee shall be deemed to be in compliance with this section.

8. Notwithstanding the provisions of subsections 5 and 6 of this section, no person or licensee may disclose nonpublic personal health information for marketing purposes contrary to paragraph (a) of subdivision (2) of subsection 2 of this section.

9. The provisions of this section do not apply to information from or to consumer reporting agencies as defined by the federal Fair Credit Reporting Act, 15 U.S.C. Section 1681 et seq., or debt collectors as defined by the federal Fair Debt Collection Practices Act, 15 U.S.C. Section 1692 et seq. to the extent such entities are engaged in activities regulated by these federal acts.

10. The provisions of this section do not apply to information disclosed in connection with a proposed or actual sale, merger, transfer, or exchange of all or a portion of a business or operating unit, including but not limited to the sale of a portfolio of loans, if the disclosure of nonpublic personal health information concerns solely consumers of the business or unit and the disclosure of the nonpublic personal health information is not the primary reason for the sale, merger, transfer, or exchange.

11. The director of the department of insurance shall have the sole authority to enforce this section with respect to licensees including, without limitation, treating violations of this section by licensees as an unfair trade practice pursuant to sections 375.936 to 375.948, RSMo. Licensees shall be entitled to all the protections of law contained therein.

12. Nothing in this section shall be construed to prohibit disclosure by any person for purposes other than those specifically listed in subsection 2 of this section. If an agent discloses information to a principal for purposes that do not violate subsection 2 of this section, the agent shall not be deemed liable for any disclosure by the principal.

13. This section does not apply to the disclosure of nonpublic personal health information which was originally collected for marketing purposes, provided that:

- (1) The information is disclosed solely for the purposes of marketing products directly to the individual to whom such information pertains;
- (2) The individual to whom such information pertains voluntarily reports the information; and
- (3) At the time the information is collected, the individual to whom the information pertains receives clear and conspicuous notice stating that the information will be disclosed to third parties for the purposes of marketing products or services to the individual.

14. Notwithstanding any other provision of law, this act shall not apply to the conduct of medical research, as defined in 45 CFR part 46.”; and

Further amend title and enacting clause accordingly.

On motion of Representative Smith, **House Amendment No. 10** was adopted.

Representative Gratz offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, by inserting in the appropriate location the following:

“Section 1. Any health care professional who participates in a managed care plan as defined in Section 376.1350 RSMo, must provide three patient references of patients that have undergone the same treatment, upon the request of an insured or the insured may use an out-of-network health care professional for treatment.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Gratz moved that **House Amendment No. 11** be adopted.

Which motion was defeated.

Representative Townley offered **House Amendment No. 12.**

*House Amendment No. 12*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, Page 26, Section 376.833, Line 6, by inserting after said line the following:

"376.1209. 1. Each entity offering individual and group health insurance policies providing coverage on an expense-incurred basis, individual and group service or indemnity type contracts issued by a nonprofit corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group arrangements to the extent not preempted by federal law, and all managed health care delivery entities of any type or description, that provide coverage for the surgical procedure known as a mastectomy, and which are delivered, issued for delivery, continued or renewed in this state on or after January 1, 1998, shall provide coverage for prosthetic devices or reconstructive surgery necessary to restore symmetry as recommended by the oncologist or primary care physician for the patient incident to the mastectomy. Coverage for prosthetic devices and reconstructive surgery shall be subject to the same deductible and coinsurance conditions applied to the mastectomy and all other terms and conditions applicable to other benefits with the exception that no time limit shall be imposed on an individual for the receipt of prosthetic devices or reconstructive surgery and if such individual changes his or her insurer, then the new policy subject to the federal Women's Health and Cancer Rights Act (Sections 901-903 of P.L. 105-277), as amended, shall provide coverage consistent with the federal Women's Health and Cancer Rights Act (Sections 901-903 of P.L. 105-277), as amended, and any regulations promulgated pursuant to such act. **Such benefits shall include coverage for the purchase of at least four mastectomy brasseries a year.**

2. As used in this section, the term "mastectomy" means the removal of all or part of the breast for medically necessary reasons, as determined by a physician licensed pursuant to chapter 334, RSMo.

3. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy or long-term care policy."; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Townley, **House Amendment No. 12** was adopted.

Representative Barry offered **House Amendment No. 13.**

*House Amendment No. 13*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1061 & 1062, by inserting at the appropriate location the following section:

"376.1253. 1. Each physician attending any patient with a newly diagnosed cancer shall inform the patient that the patient has the right to a referral for a second opinion by an appropriate board-certified specialist prior to any treatment. If no specialist in that specific cancer diagnosis area is in the provider network, a referral shall be made to a nonnetwork specialist in accordance with this section.

2. Each health carrier or health benefit plan, as defined in section 376.1350, that offers or issues health benefit plans which are delivered, issued for delivery, continued or renewed in this state on or after January 1, 2003, shall provide coverage for a second opinion rendered by a specialist in that specific cancer diagnosis area when a patient with a newly diagnosed cancer is referred to such specialist by his or her attending physician. Such coverage shall be subject to the same deductible and coinsurance conditions applied to other specialist referrals and all other terms and conditions applicable to other benefits, including the prior authorization and/or referral authorization requirements as specified in the applicable health insurance policy.

**3. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barry, **House Amendment No. 13** was adopted.

On motion of Representative Harlan, **HS HCS SCS SBs 1061 & 1062, as amended**, was adopted.

On motion of Representative Harlan, **HS HCS SCS SBs 1061 & 1062, as amended**, was read the third time and passed by the following vote:

AYES: 142

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 90
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 000

PRESENT: 001

Brooks



ABSENT WITH LEAVE: 019

Baker	Bland	Cierpiot	Crawford	Crump
Franklin	Froelker	Green 73	Hegeman	Hickey
Hohulin	Johnson 61	Jolly	Liese	Marble
O'Toole	Ridgeway	Thompson	Williams	

VACANCIES: 001

Speaker Kreider declared the bill passed.

### **ADOPTION AND THIRD READING OF HOUSE CONCURRENT RESOLUTION**

**HCS HCR 35**, relating to emergency contraception, was taken up by Representative Riback Wilson (25).

Representative Riback Wilson (25) offered **HS HCS HCR 35**.

Representative Carnahan offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Concurrent Resolution No. 35, Page 3, Line 4, by inserting after the word “hours” the following:

**“ In addition, the Division of Maternal Child and Family Health should also provide to health care providers, pharmacists, hospitals and the community at large information on approved birth control methods;”.**

Representative Fraser offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

#### *House Substitute Amendment No. 1 for House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Concurrent Resolution No. 35, Page 3, Line 4, by adding the following:

**“In addition, the Division of Maternal Child and Family Health should also provide to health care providers, pharmacists, hospitals and the community at large information on contraceptive drugs and devices approved by the Federal Food and Drug Administration.”.**

Representative Smith assumed the Chair.

Representative Fraser moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Abel	Baker	Boucher	Bowman	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Curls	Fares	Farnen	Foley	Franklin
Fraser	Graham	Hagan-Harrell	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Hosmer
Johnson 90	Jolly	Jones	Kelly 27	Lowe
Mays 50	Ostmann	Relford	Rizzo	Scheve
Shelton	Skaggs	Smith	Van Zandt	Walton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 093

Ballard	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Burcham	Byrd
Cierpiot	Cooper	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Froelker	Gambara	Gratz	Green 15	Griesheimer
Hampton	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holt	Hunter	Kelley 47	Kelly 144
Kelly 36	King	Lawson	Legan	Liese
Linton	Lograsso	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Reynolds	Ridgeway	Roark	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	St. Onge	Surface
Townley	Treadway	Villa	Vogel	Wagner
Ward	Whorton	Wright		

PRESENT: 003

Holand	Marsh	Robirds
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ABSENT WITH LEAVE: 021

Bland	Boykins	Burton	Champion	Copenhaver
Crawford	Gaskill	George	Green 73	Hanaway
Hoppe	Jetton	Johnson 61	Koller	Long
Monaco	O'Toole	Richardson	Thompson	Troupe
Walker				

VACANCIES: 001

Representative Riback Wilson (25) requested a verification of the roll call on the motion to adopt **House Substitute Amendment No. 1 for House Amendment No. 1.**

**House Amendment No. 1** was withdrawn.

**HCS HCR 35, with HS, pending,** was laid over.

### THIRD READING OF SENATE BILLS

**HCS SCS SB 722**, relating to school administrator's certificate, was taken up by Representative Relford.

Representative Relford offered **HS HCS SCS SB 722**.

On motion of Representative Relford, **HS HCS SCS SB 722** was adopted.

On motion of Representative Relford, **HS HCS SCS SB 722** was read the third time and passed by the following vote:

AYES: 145

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Lograsso	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Townley	Treadway	Van Zandt	Villa	Vogel
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 001

Murphy

PRESENT: 001

Linton

ABSENT WITH LEAVE: 015

Baker	Ballard	Bland	Burton	Foley
Green 73	Harlan	Hickey	Koller	Long
Luetkenhaus	Scheve	Thompson	Troupe	Wagner

VACANCIES: 001

Representative Smith declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**SB 1143**, relating to the State Auditor, was taken up by Representative Monaco.

On motion of Representative Monaco, **SB 1143** was truly agreed to and finally passed by the following vote:

AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burcham	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Linton	Lograsso	Lowe	Luetkemeyer
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Schwab	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Townley	Treadway	Van Zandt
Villa	Vogel	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 003

Boatright	Hohulin	Purgason
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PRESENT: 000

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ABSENT WITH LEAVE: 023

Baker	Ballard	Bland	Burton	Foley
Green 73	Harlan	Hickey	Hosmer	Koller
Liese	Long	Luetkenhaus	Marble	Reinhart
Relford	Robirds	Scheve	Scott	Thompson
Troupe	Wagner	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SB 859**, relating to A+ schools, was taken up by Representative Ransdall.

Representative Franklin offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND Senate Bill No. 859, Page 3, Section 160.545, Line 75, by striking “, **with the exemption of active military dependents**,”; and

Further amend said bill, Section 160.545, Line 77, by adding immediately after the word “section” the following:

“, **except that students who are active duty military dependents who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision**”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 1** was adopted.

Representative Copenhaver offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND Senate Bill No. 859, Page 3, Section 160.545, Line 69, by placing an opening bracket “[“ immediately before the word “Within”; and on Line 70, by placing a closing bracket “]” immediately after the word “section,” and inserting the following after the closing bracket:

“**For any school year, grants authorized by subsections 1 to 3 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 6 of this section.**

**6.”**; and

Further amend said bill, Page 4, Section 160.545, Line 86, by deleting “6.” and inserting in lieu thereof the following: “[6.] **7.**”; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Copenhaver, **House Amendment No. 2** was adopted.

Representative Hosmer offered **House Amendment No. 3**.

Representative Relford raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Ransdall, **SB 859, as amended**, was read the third time and passed by the following vote:

AYES: 132

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Byrd	Campbell	Champion	Cierpiot	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Franklin	Fraser
Froelker	Gaskill	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Lawson	Legan
Lograsso	Lowe	Luetkemeyer	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reinhart	Relford	Ridgeway	Rizzo	Roark
Ross	Schwab	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Townley	Treadway
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Brooks	Gambaro	Reynolds
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PRESENT: 000

ABSENT WITH LEAVE: 027

Ballard	Bland	Burton	Carnahan	Clayton
Foley	George	Green 73	Hickey	Hohulin
Koller	Liese	Linton	Long	Luetkenhaus
Marble	Monaco	O'Toole	Reid	Richardson
Robirds	Scheve	Scott	Thompson	Troupe
Wagner	Williams			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 1864** - Agriculture

### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolutions were referred to the Committee indicated:

**SCR 65** - Miscellaneous Bills & Resolutions

**SCR 73** - Miscellaneous Bills & Resolutions

**SCR 75** - Miscellaneous Bills & Resolutions

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**HCS SB 1186** - Fiscal Review and Government Reform (Fiscal Note)

**SCS SBs 1112 & 854** - Miscellaneous Bills & Resolutions

### **COMMITTEE REPORTS**

**Committee on Children, Families and Health**, Chairman Barry reporting:

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SB 878**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Children, Families and Health, to which was referred **SCS SB 1137**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Civil and Administrative Law**, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **SCS SB 916**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Criminal Law**, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Criminal Law, to which was referred **SCS SB 642**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Environment and Energy**, Chairman Lawson reporting:

Mr. Speaker: Your Committee on Environment and Energy, to which was referred **SS#2 SCS SBs 984 & 985**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Judiciary**, Chairman Monaco reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SBs 662 & 704**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 840**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Local Government and Related Matters**, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 834**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 1060**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SJR 24**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Professional Registration and Licensing**, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 739**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Ways and Means**, Chairman Hilgemann reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 989**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.



**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 758**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 758, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. The House recede from its position on House Committee Substitute for Senate Bill No. 758;
2. The Senate recede from its position on Senate Bill No. 758;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 758 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Roseann Bentley  
/s/ Doyle Childers  
/s/ Betty Sims  
/s/ Patrick Dougherty  
/s/ Stephen Stoll

FOR THE HOUSE:

/s/ Craig Hosmer  
/s/ Phillip Britt  
/s/ Cathy Jolly  
/s/ Michael Reid  
/s/ Matt Bartle

**CONFERENCE COMMITTEE REPORT #2  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 795**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 795 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 795;
2. That the Senate recede from its position on Senate Bill No. 795;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 795 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Schneider  
/s/ Wayne Goode  
/s/ David Klarich  
/s/ Sarah Steelman  
/s/ Michael Gibbons

FOR THE HOUSE:

/s/ Joe Treadway  
/s/ Wes Shoemyer  
/s/ Mark Hampton  
/s/ Charles Portwood  
/s/ Robert Behnen

**ADJOURNMENT**

On motion of Representative McKenna, the House adjourned until 9:00 a.m., Tuesday, May 14, 2002.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-ninth Day, Friday, May 10, 2002, pages 1864 and 1865, roll call, by showing Representative Fares voting "no" rather than "absent with leave".

Pages 1865 and 1866, roll call, by showing Representatives Graham and Kelly (27) voting "aye" rather than "absent with leave".

Page 1866, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1867, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1868, roll call, by showing Representatives Kelly (27), Shields and Shoemyer (9) voting "aye" rather than "absent with leave".

Page 1869, roll call, by showing Representatives Hunter and Kelly (27) voting "aye" rather than "absent with leave".

Page 1870, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1871, roll call, by showing Representatives Cooper and Secrest voting "aye" rather than "absent with leave".

Pages 1874 and 1875, roll call, by showing Representative Fares voting "no" rather than "absent with leave".

Pages 1875 and 1876, roll call, by showing Representative Dempsey voting "no" rather than "absent with leave".

Pages 1876 and 1877, roll call, by showing Representatives Behnen, Hosmer and Robirds voting "aye" rather than "absent with leave".

Pages 1876 and 1877, roll call, by showing Representative Crawford voting "no" rather than "absent with leave".

Pages 1878 and 1879, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1878 and 1879, roll call, by showing Representative Bartle voting "no" rather than "absent with leave".

Pages 1879 and 1880, roll call, by showing Representatives Harding, Hosmer and Paone voting "aye" rather than "absent with leave".

Pages 1880 and 1881, roll call, by showing Representatives Hosmer and Jones voting "aye" rather than "absent with leave".

Pages 1880 and 1881, roll call, by showing Representative Black voting "no" rather than "absent with leave".

Pages 1881 and 1882, roll call, by showing Representative Crawford voting "no" rather than "absent with leave".

Pages 1882 and 1883, roll call, by showing Representatives Crawford and Reinhart voting "no" rather than "absent with leave".

Pages 1885 and 1886, roll call, by showing Representatives Bearden and Miller voting "no" rather than "absent with leave".

Pages 1885 and 1886, roll call, by showing Representatives Graham and Ward voting "aye" rather than "absent with leave".

Pages 1900 and 1901, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1901 and 1902, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1902 and 1903, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 1903 and 1904, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Page 1906, roll call, by showing Representative Holt voting "aye" rather than "absent with leave".

Page 1907, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 1907 and 1908, roll call, by showing Representative Willoughby voting "aye" rather than "no".

Pages 1910 and 1911, roll call, by showing Representative Ross voting "aye" rather than "absent with leave".

Pages 1911 and 1912, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1920, roll call, by showing Representative Graham voting "aye" rather than "absent with leave".

Page 1921, roll call, by showing Representative Cooper voting "no" rather than "absent with leave".

Pages 1924 and 1925, roll call, by showing Representative George voting "aye" rather than "absent with leave".

Pages 1925 and 1926, roll call, by showing Representatives George, Hosmer and Wilson (42) voting "aye" rather than "absent with leave".

Pages 1928 and 1929, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

Pages 1928 and 1929, roll call, by showing Representative Purgason voting "no" rather than "absent with leave".

Pages 1932 and 1933, roll call, by showing Representatives Bartle and Surface voting "aye" rather than "absent with leave".

Pages 1932 and 1933, roll call, by showing Representatives Boucher, McKenna, Paone and Scott voting "no" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **AGRICULTURE**

Tuesday, May 14, 2002, 8:00 a.m. Side gallery.

Executive Session to follow.

Public Hearing to be held on: HR 1864

**FISCAL REVIEW AND GOVERNMENT REFORM**

Tuesday, May 14, 2002. Hearing Room 6 upon morning recess. AMENDED NOTICE.

Fiscal Review.

HCS/SCS/SB 894,975&927,HCS/SS/SCS SB 670 & 694, HCS SB 856.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Tuesday, May 14, 2002, 12:30 p.m. Hearing Room 3.

Open meeting.

Set prices for 2002 Session Laws. Any other business.

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Tuesday, May 14, 2002, 8:30 a.m. Hearing Room 6. AMENDED NOTICE.

Public Hearing to be held on: SB 1112, SCR 65, SCR 73, SCR 75

**HOUSE CALENDAR**

SEVENTY-FIRST DAY, TUESDAY, MAY 14, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton
- 11 HB 1211 - Smith
- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)
- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher
- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley

- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)
- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall
- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 2160, as amended - Britt
- 2 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 3 HB 1916 - Franklin

#### **HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

HCS HCR 35, HS pending, (5-7-02, Pages 1716-1718) - Riback Wilson (25)

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 3 HS HCS HB 1231 - Harding

#### **SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 58, HCA 1 (Klarich)(4-9-02, Pages 1026-1027) - Luetkenhaus
- 2 SCR 49, (Rohrbach) (3-06-02, Page 490) - O'Toole

#### **SENATE JOINT RESOLUTION FOR THIRD READING**

HCS SJR 24, (Johnson) (5-02-02, Page 1583) - Farnen

#### **SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 831, (Loudon) - Gambaro

**SENATE BILLS FOR THIRD READING**

- 1 HCS SS SCS SB 675, E.C.(Yeckel) - Seigfreid
- 2 HCS SCS SB 894, 975 & 927, E.C. (Kinder) (Fiscal Review 5-6-02) - O'Toole
- 3 HCS SB 856, (Russell) (Fiscal Review 5-6-02) - Rizzo
- 4 HCS SS SCS SB 670 & 684, (Sims) (Fiscal Review 5-8-02) - Harlan
- 5 HCS SCS SB 680, E.C. (Bland) - Barry
- 6 HCS SB 718, (House) - Berkowitz
- 7 SCS SB 1266, (Kenney) - Hoppe
- 8 SB 1011, (Caskey) - Monaco
- 9 HCS SCS SB 892, (Kenney) - O'Connor
- 10 HCS SS SCS SB 931, (Klarich) - Monaco
- 11 HCS SS SCS SB 837, 866, 972 & 990, (Cauthorn) - Berkowitz
- 12 HCS SB 1186, (Kenney)(Fiscal Review 5-13-02) - Hoppe
- 13 HCS SS SCS SB 923, 828, 876, 694 & 736, E.C.(Sims) - Barry
- 14 HCS SS SCS SB 1107, (Childers) - Hoppe
- 15 SB 713, (Singleton) - Hosmer
- 16 SCS SB 1026, (Kenney) - Barry
- 17 HCS SS SB 665, (Kenney) - Hoppe
- 18 HCS SCS SB 1060, (Westfall) - Hoppe
- 19 HCS SS SCS SB 840, (Gross) - Hosmer
- 20 SS#2 SCS SB 984 & 985, (Steelman) - Merideth
- 21 HCS SCS SB 834, E.C. (Sims) - Hoppe
- 22 SCS SB 642, (Russell) - Hosmer
- 23 HCS SCS SB 739, (Wiggins) - Monaco
- 24 HCS SB 989, (Caskey) - Hartzler
- 25 HCS SCS SB 1137, (Bentley) - Hosmer
- 26 HCS SCS SB 662 & 704, (Westfall) - Monaco
- 27 SCS SB 878, (Sims) - Harding
- 28 HCS SCS SB 916, (Dougherty) - Smith

**SENATE BILL FOR THIRD READING - INFORMAL**

HCS SS SCS SB 969, 673 & 855, E.C. (Westfall) - Smith

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1701 - Luetkenhaus
- 2 SCS HB 1141,1400,1645,1745 & 2026 - Naeger
- 3 SCS HB 1402, as amended, E.C. - Burton

**BILLS CARRYING REQUEST MESSAGES**

- 1 HS HCS SCS SB 810, as amended (conferees be allowed to exceed differences on spend down issue) - Ladd Baker
- 2 SS SCS HB 1953, as amended (request Senate recede/grant conference) - Van Zandt

**BILLS IN CONFERENCE**

- 1 SCS HB 2120 - Ridgeway
- 2 HS HCS SS SB 1248, as amended - Foley
- 3 CCR HCS SB 758 - Hosmer
- 4 CCR#2 HCS SB 795 - Treadway
- 5 HCS SCS SB 1086 & 1126 - Hoppe
- 6 SCS HB 1313 - Burton
- 7 CCR HS SB 1220, as amended - O'Toole
- 8 HCS SCS SB 1202, E.C. - Koller
- 9 SS SCS HB 1712, as amended - Monaco
- 10 SS#2 SCS HB 1446, as amended - Luetkenhaus
- 11 HS HCS SB 895, as amended - Liese
- 12 HS HCS SCS SB 712, as amended - O'Toole
- 13 HS HCS SS SS SCS SB 970, 968, 921, 867, 868 & 738 - Koller



# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SEVENTY-FIRST DAY, TUESDAY, MAY 14, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

God of Grace and Truth: we pride ourselves that we learn something new everyday. Grant Your guiding light this day. Shine it upon the men and women of this House. Let Your illuminating truth lead them through the decisions and issues that confront them.

Give to these who seek to serve the common good, both humility and clarity of thought. Soothe any still-smoldering heart, with the spirit of generosity. Let these decision makers be swayed not by emotion or ambition, but guided by calm conviction and blessed with uncommon patience.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Eleanor Catherine Byrd, Layne Reynolds, Kristin Herron, Kellie Evrad and Jerrod Osthoff.

The Journal of the seventieth day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1987

and

House Resolution No. 1988 - Representative Relford

House Resolution No. 1989 - Representative Holand

House Resolution No. 1990 - Representative Richardson, et al

House Resolution No. 1991 - Representative Mayer

House Resolution No. 1992

through

House Resolution No. 1995 - Representative Cunningham

House Resolution No. 1996 - Representative Curls

House Resolution No. 1997 - Representative Burcham

House Resolution No. 1998 - Representative Thompson

House Resolution No. 1999 - Representative Lowe

House Resolution No. 2000 - Representative Hilgemann

House Resolution No. 2001

through

House Resolution No. 2005 - Representatives Ross and Lograsso

House Resolution No. 2006 - Representative Crump

House Resolution No. 2007 - Representative Surface

House Resolution No. 2008 - Representative Hanaway

House Resolution No. 2009 - Representative Shoemyer (9)

House Resolution No. 2010 - Representative Harlan

House Resolution No. 2011

through

House Resolution No. 2018 - Representative Legan

### COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SS HB 2023**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 143

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Liese	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby

Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walker	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 003

Burcham	Holand	Whorton
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ABSENT WITH LEAVE: 016

Ballard	Bland	Boykins	Cierpiot	Green 73
Hagan-Harrell	Harlan	Lawson	Legan	Lograsso
Long	Merideth	Moore	Richardson	Wagner
Williams				

VACANCIES: 001

## HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HBs 1141, 1400, 1645, 1745 & 2026**, relating to memorial highways, was taken up by Representative Naeger.

On motion of Representative Naeger, **SCS HBs 1141, 1400, 1645, 1745 & 2026** was adopted by the following vote:

AYES: 146

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Koller	Lawson	Legan	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields

## 2004 *Journal of the House*

Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 002

Clayton	Farnen
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PRESENT: 000

ABSENT WITH LEAVE: 014

Boykins	Copenhaver	Foley	Green 73	Hagan-Harrell
Harlan	King	Lograsso	Long	Murphy
Richardson	Wagner	Williams	Willoughby	

VACANCIES: 001

On motion of Representative Naeger, **SCS HBs 1141, 1400, 1645, 1745 & 2026** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cooper	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walker	Walton	Ward	Whorton
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Clayton	Farnen
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PRESENT: 000

ABSENT WITH LEAVE: 016

Boykins	Carnahan	Cierpiot	Copenhaver	Foley
Franklin	Green 73	Hagan-Harrell	Harlan	Hunter
Lograsso	Murphy	Richardson	Wagner	Williams
Willoughby				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS HB 1402, as amended**, relating to telecommunication services, was taken up by Representative Burton.

Representative Burton moved that the House refuse to adopt **SCS HB 1402, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILL

**HCS SS SCS SBs 837, 866, 972 & 990**, relating to agriculture, was taken up by Representative Berkowitz.

Representative Berkowitz offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, by inserting in the appropriate location the following sections:

"261.110. 1. The department of agriculture shall develop standards and labeling for organic farming.

2. The department of agriculture shall adopt rules to implement the provisions of this section.

3. **The department may cooperate with any agency of the federal government, any state, any other agency in this state, any private entity or person engaged in growing, processing, marketing of organic products, or any group of such persons in this state, in programs to effectuate such purposes. Such agreements may provide for cost and revenue sharing, and for division of duties and responsibilities under this section and may include other provisions generally to effectuate the purposes of this section.**

4. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

**261.120. There is hereby created in the state treasury the "Organic Production and Certification Fee Fund". Fees imposed in accordance with rules promulgated under section 261.110, shall be credited to the organic production and certification fee fund.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Berkowitz, **House Amendment No. 1** was adopted.

Representative Berkowitz offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 2, Section 142.028, Line 11, by deleting all of said line and inserting in lieu thereof the following:

"located within the state of Missouri **and is at least fifty-one percent owned by agricultural producers actively engaged in agricultural production for commercial purposes** and which has made formal application, posted a bond, and"; and

Further amend said bill, Page 22, Section 413.115, Lines 1 to 3, by deleting all of said lines; and

Further amend said bill, Page 23, Section 413.115, Lines 4 to 12, by deleting all of said lines; and

Further amend said bill, Page 27, Section 414.032, Lines 13 and 14, by deleting all of said lines and inserting in lieu thereof the following:

**"insure that these fuels conform to advertised grade and octane. In no event shall the penalty for a first violation of this section exceed a written reprimand."**; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Berkowitz, **House Amendment No. 2** was adopted.

Representative Relford offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 5, Section 142.031, Line 68, by inserting immediately after all of said line the following:

"254.020. As used in this chapter, the following words [shall have the following meanings] **mean:**

(1) [The word "commission" shall mean] **"Best management practices", forest management practices, as defined by the commission in consultation with the clean water commission, that ensure protection of water quality;**

(2) **"Commission"**, the conservation commission of Missouri [upon which, by the terms hereof impressed, are] **being responsible for the control, management, restoration, conservation, and regulation of the bird, fish, game, forestry, and all wildlife resources of the state are therefore** vested the responsibilities for the administration [hereof in conformity] **of this chapter in conformance** with sections 40 to 46 of article IV of the Constitution of Missouri; and the words "rules and regulations" shall mean those made by the commission pursuant thereto;

[(2)] (3) **"Conservation commission fund"** [as used in this chapter, shall mean], only the moneys arising from the additional sales and use taxes provided for in section 43(a) of article IV of the Constitution of Missouri;

[(3)] (4) **"Forest croplands"** [shall mean], those lands devoted exclusively to growing wood and timber, except for such other uses as shall be approved by the commission by regulations and which are tendered to the commission by any person and accepted and classified by the commission as such; and the commission shall prescribe the terms and conditions of such tender, acceptance and classification;

[(4)] The word "person" shall mean] (5) **"Person"**, any individual, male or female, singular or plural, of whatever age[, and this term]. **The term person** shall include and refer to any owner, grantee, lessee, licensee, permittee, firm, association, copartnership, corporation, municipality or county, as the context may require;

(6) **"Precommercial forestry activities", proper forest management activities, as defined by the commission, that do not generate an immediate profit for the landowner;**

[(5)] The title "state forester" shall mean] (7) **"State forester"**, the administrative head of the state forestry program;

(8) **"Sustainable forestry principles", forest management activities, as defined by the commission, that**

**ensure efficient use and continued availability of forest resources.**

254.040. 1. Any person desiring to have lands designated as forest croplands shall submit an application [therefor] to the state forester on [form or] forms [to be] provided by the commission. The state forester [will] **shall** make or cause to be made an examination of the lands covered by [said] **such** application and shall forward a copy of [same] **such application**, together with his **or her** recommendations, to the commission. If the commission [approve and classify] **approves and classifies such** lands as forest croplands, they shall be subject to the provisions of this chapter and [such] rules and regulations **promulgated pursuant to this chapter**.

2. If the commission [refuse so] **refuses** to accept and classify [said] **such** lands, the applicant may appeal [from] the decision of the commission to the circuit court in which such lands, or major part [thereof] **of such lands**, are located and the decision of the circuit court in all such matters shall be final.

3. No application **to designate lands as forest croplands** shall be accepted for a tract of land containing less than twenty acres; and no such land shall be classified for tax relief if the value thereof shall exceed one hundred twenty-five dollars per acre or a greater value as set by regulation of the commission.

**4. No application for the cost-share incentive program established in section 254.225 shall be accepted for lands designated as forest croplands.**

**254.225. 1. The commission may administer a forest landowner cost-share incentive program to promote sustainable forestry on private lands. Such program may provide reimbursement cost share for up to fifty percent of the cost of precommercial forestry activities on eligible lands. Eligible forestry activities shall be carried out in accordance with best management practices and sustainable forestry principles.**

**2. Any forest landowner may submit a program application to the state forester on forms provided by the commission. Application procedures and acceptance criteria shall be specified by the commission.**

**3. No application for such program shall be accepted for a tract of land containing less than forty acres. The total amount of incentives provided to any person shall not exceed five thousand dollars in any calendar year.” ; and**

Further amend said bill in the title, enacting clause, and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 3** was adopted.

Representative Myers offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 7, Section 281.217, Lines 8 and 9, by deleting the words “and agriculture”.

Representative Boatright offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 6, Section 281.217, Line 1, by deleting all of said section and changing the title and enacting clause accordingly.

Representative Boatright moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

## 2008 *Journal of the House*

AYES: 076

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Gratz	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Johnson 61
Kelley 47	Kelly 144	King	Legan	Linton
Long	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	Ostmann	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

NOES: 080

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Franklin	Fraser	Gambara	George
Graham	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 90
Jolly	Jones	Kelly 36	Koller	Liese
Lowe	Mays 50	McKenna	Merideth	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Villa
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Boykins	Cierpiot	Foley	Kelly 27	Lawson
Lograsso				

VACANCIES: 001

On motion of Representative Myers, **House Amendment No. 4** was adopted.

Representative Reid offered **House Amendment No. 5**.



House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, by inserting in the appropriate location the following section:

**"267.750. 1. It shall be unlawful for any person to knowingly feed poultry manure or any food product containing poultry manure to livestock as defined in section 267.565.**

**2. Any person who violates the provisions of subsection 1 of this section shall be guilty of an infraction and shall be punished by a fine of not more than two hundred dollars.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Reid moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 024

Barry 100	Bowman	Boykins	Bray 84	Cunningham
Franklin	Fraser	Gambaro	George	Green 15
Green 73	Hanaway	Haywood	Hollingsworth	Johnson 90
Jolly	Lowe	McKenna	Murphy	Paone
Reid	Selby	Walton	Wilson 42	

NOES: 126

Abel	Ballard	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Bland	Boatright	Bonner	Boucher	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Froelker	Gaskill	Graham	Gratz
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Long	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Walker	Ward
Whorton	Williams	Willoughby	Wilson 25	Wright
Mr. Speaker				

PRESENT: 001

Black

ABSENT WITH LEAVE: 011

Baker	Carnahan	Foley	Harlan	Hickey
Holand	Lograsso	Monaco	Purgason	Van Zandt
Wagner				

VACANCIES: 001

Representative Gratz offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 16, Section 348.432, Line 85 of said page, by inserting after all of said line the following:

"407.592. Sections 407.585 to 407.592 shall apply to any new farm machinery sold after January 1, 1988, but no provision of sections 407.585 to 407.592 shall operate or be construed to invalidate, impair, or otherwise infringe upon the specific requirements of any contract between a dealer and a manufacturer entered into prior to September 28, 1987, and which is in effect on September 28, 1987; provided, however, that in any case wherein warranty repair work is performed for a consumer by a farm equipment dealer under the provisions of a manufacturer's express warranty, the manufacturer shall reimburse the dealer at an hourly labor rate that is the same or greater than the hourly labor rate the dealer currently charges consumers for nonwarranty repair work. **The dealer may accept the manufacturer's reimbursement terms and conditions in lieu of the above.**"; and

Further amend the title and enacting clause accordingly.

On motion of Representative Gratz, **House Amendment No. 6** was adopted.

Representative Legan offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, by inserting the following in the appropriate location:

"578.405. 1. Sections 578.405 to 578.412 shall be known and may be cited as "The Animal Research and Production Facilities Protection Act".

2. As used in sections 578.405 to 578.412, the following terms mean:

(1) "Animal", every living creature, domestic or wild, but not including Homo sapiens;

(2) "Animal facility", any facility, **animal farming operation, business or organization** engaging in legal scientific research or agricultural production or involving the use of animals, including any organization with a primary purpose of representing livestock production or processing, any organization with a primary purpose of promoting or marketing livestock or livestock products, any person licensed to practice veterinary medicine, any organization involved in the production of pet food or pet food research, and any organization with a primary purpose of representing any such person, organization, or institution. The term shall include the owner, operator, and employees of any animal facility [and], the offices [and], **barns, buildings, or other structures**, the vehicles of any such persons while engaged in duties related to the animal facility, and any [premises] **private property** where animals are located, **including but not limited to the barns or areas where the animals are pastured, housed, or otherwise quartered**;

(3) "Director", the director of the department of agriculture.

578.407. No person shall:

(1) Release, steal, or otherwise intentionally cause the death, injury, or loss of any animal at or from an animal facility and not authorized by that facility;

(2) Damage, vandalize, or steal any property in or on an animal facility;

(3) Obtain access to an animal facility by false pretenses for the purpose of performing acts not authorized by the facility;

(4) Enter or otherwise interfere with an animal facility with the intent to destroy, alter, duplicate or obtain unauthorized possession of records, data, material, equipment, or animals;

(5) Knowingly obtain, by theft or deception, control over records, data, material, equipment, or animals of any animal facility for the purpose of depriving the rightful owner or animal facility of the records, material, data, equipment, or animals, or for the purpose of concealing, abandoning, or destroying such records, material, data, equipment, or animals;

(6) Enter or remain on an animal facility with the intent to commit an act prohibited by this section;

**(7) Photograph, videotape, or otherwise obtain images from within a structure that an animal is housed without the express written consent of the animal facility;**

**(8) Intentionally or knowingly release or introduce any pathogen or disease in or near an animal facility that has the potential to cause disease in any animal at the animal facility or which otherwise threatens human health or biosecurity at the animal facility.**

578.409. 1. Any person who violates section 578.407:

(1) Shall be guilty of a misdemeanor for each such violation unless the loss, theft, or damage to the animal facility exceeds three hundred dollars in value;

(2) Shall be guilty of a class D felony **for a violation of subdivision (7) of section 578.407** or if the loss, theft, or damage to the animal facility property exceeds three hundred dollars in value but does not exceed ten thousand dollars in value;

(3) Shall be guilty of a class C felony if the loss, theft, or damage to the animal facility property exceeds ten thousand dollars in value but does not exceed one hundred thousand dollars in value;

(4) Shall be guilty of a class B felony if the loss, theft, or damage to the animal facility exceeds one hundred thousand dollars in value.

2. Any person who intentionally agrees with another person to violate section 578.407 and commits an act in furtherance of such violation shall be guilty of the same class of violation as provided in subsection 1 of this section.

3. In the determination of the value of the loss, theft, or damage to an animal facility, the court shall conduct a hearing to determine the reasonable cost of replacement of materials, data, equipment, animals, and records that were damaged, destroyed, lost, or cannot be returned, as well as the reasonable cost of lost production funds and repeating experimentation that may have been disrupted or invalidated as a result of the violation of section 578.407.

4. Any persons found guilty of a violation of section 578.407 shall be ordered by the court to make restitution, jointly and severally, to the owner, operator, or both, of the animal facility, in the full amount of the reasonable cost as determined under subsection 3 of this section.

5. Any person who has been damaged by a violation of section 578.407 may recover all actual and consequential damages, punitive damages, and court costs, including reasonable attorneys' fees, from the person causing such damage.

6. Nothing in sections 578.405 to 578.412 shall preclude any animal facility injured in its business or property by a violation of section 578.407 from seeking appropriate relief under any other provision of law or remedy including the issuance of an injunction against any person who violates section 578.407 **including any relief authorized under subsection 5 of this section.** The owner or operator of the animal facility may petition the court to permanently enjoin such persons from violating sections 578.405 to 578.412 and the court shall provide such relief.

578.412. 1. The director shall have the authority to investigate any alleged violation of sections 578.405 to 578.412, along with any other law enforcement agency, and may [take any action within the director's authority necessary for the enforcement of sections 578.405 to 578.412] **initiate civil legal action in the circuit court of the county where the violation occurred.** The attorney general, the highway patrol, and other law enforcement officials shall provide assistance required in the conduct of an investigation.

2. The director may promulgate rules and regulations necessary for the enforcement of sections 578.405 to 578.412. No rule or portion of a rule promulgated under the authority of sections 578.405 to 578.412 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo."; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Johnson (90) offered **House Amendment No. 1 to House Amendment No.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 3, Section 548.407, Line 1, by deleting the semi-colon at the end of said line and by inserting at the end of said line the following: “**with the intent to commit agriterrorism**”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Clayton assumed the Chair.

Representative Legan offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 7**.

*House Substitute Amendment No. 1*  
*for*  
*House Amendment No. 1*  
*to*  
*House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 2, Section 578.407, Line 30, by inserting in front of the word “photograph” the following: “**with the intent to commit a crime**”; and

Further amend the title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Legan, **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 7** was adopted.

Representative Clayton offered **House Amendment No. 2 to House Amendment No. 7**.

*House Amendment No. 2*  
*to*  
*House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 3, Section 578.409, Lines 11 and 12, by striking the following: “for a violation of subdivision (7) of section 578.407 or”.

On motion of Representative Clayton, **House Amendment No. 2 to House Amendment No. 7** was adopted.

On motion of Representative Legan, **House Amendment No. 7, as amended**, was adopted.

Representative Whorton offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 4, Section 142.031, Line 9, by deleting all of said line and inserting in lieu thereof the following:

**"and subject to appropriations with funds, other than general revenue funds, shall be used to"; and**

Further amend said bill, Page 4, Section 142.031, Line 13, by deleting all of said line and inserting in lieu thereof the following:

**"3. A Missouri qualified biodiesel producer shall be eligible for a monthly grant"; and**

Further amend said bill, Page 4, Section 142.031, Lines 15 to 17, by deleting all of said lines and inserting in lieu thereof the following:

**"the grant for a total of sixty months unless such producer during those sixty months failed, due to a lack of appropriations, to receive the full amount from the fund for which they were eligible, in which case such producers shall continue to be eligible for up to twenty-four additional months or until they have received the maximum amount of funding for which they were eligible during the original sixty month time period. The amount of the grant is determined by calculating the number of gallons of qualified biodiesel produced during the preceding month from Missouri agricultural products, as certified by the department"; and**

Further amend said bill, Page 4, Section 142.031, Line 17, by deleting all of said line and inserting in lieu thereof the following:

**"Missouri agricultural products for the succeeding calendar month, as certified by the department"; and**

Further amend said bill, Page 4, Section 142.031, Lines 19 to 35, by deleting all of said lines and inserting in lieu thereof the following:

**"this subsection. Each Missouri qualified biodiesel producer shall be eligible for a total grant in any fiscal year equal to thirty cents per gallon for the first fifteen million gallons of qualified biodiesel produced from Missouri agricultural products in the fiscal year. All such qualified biodiesel produced by a Missouri qualified biodiesel producer in excess of fifteen million gallons shall not be applied to the computation of a grant pursuant to this subsection. The department of agriculture shall pay all grants for a particular month by the fifteenth day after receipt and approval of the application described in subsection 4 of this section."; and**

Further amend said bill, Page 4, Section 142.031, Line 37, by deleting all of said line and inserting in lieu thereof the following: **"fund, an application for such funds shall be received no later than"; and**

Further amend said bill, Page 5, Section 142.031, Line 38, by deleting all of said line and inserting in lieu thereof the following: **"fifteen days following the first day of the month for which the grant is sought. The"; and**

Further amend said bill, Page 5, Section 142.031, Line 42, by deleting all of said line and inserting in lieu thereof the following: **"biodiesel producer in the preceding month, if applicable"; and**

Further amend said bill, Page 5, Section 142.031, Lines 45 to 47, by deleting all of said lines and inserting in lieu thereof the following:

**"month;**

**(4) The number of gallons of qualified biodiesel the producer manufactures during the month for which the grant is applied"; and**

Further amend said bill, Page 5, Section 142.031, Lines 56 to 60, by deleting all of said lines and inserting in lieu thereof the following: "**administration of the provisions of this section.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Whorton, **House Amendment No. 8** was adopted.

Representative Holand offered **House Amendment No. 9**.

Representative Myers raised a point of order that **House Amendment No. 9** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Ladd Baker offered **House Amendment No. 9**.

Representative Gratz raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Boatright offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 837, 866, 972 & 990, Page 13, Section 348.430, Line 29, by inserting after the word "tax" the following: "**or estimated quarterly tax**"; and

Further amend said bill, Page 15, Section 348.432, Line 42, by inserting after the word "tax" the following: "**or estimated quarterly tax**"; and

Further amend said bill, Page 15, Section 348.432, Line 51, by inserting at the end of the line the following:

**"Tax credits claimed in a taxable year may be done so on a quarterly basis and applied to the estimated quarterly tax pursuant to subsection 3 of this section."**; and

Further amend said bill by inserting in the appropriate location the following:

**"Section 3. All premium tax credits described in sections 348.430 and 348.432, RSMo, shall only reduce the amount of money received by the general revenue fund of this state and shall not reduce any moneys received by the county foreign insurance tax fund."**; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Britt raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Boatright moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Gratz	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

NOES: 079

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Franklin	Fraser	Gambaro	George
Graham	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Koller
Liese	Lowe	Mays 50	McKenna	O'Connor
O'Toole	Overschmidt	Paone	Ransdall	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 009

Boykins	Burton	Foley	Hunter	Lawson
Lograsso	Long	Monaco	Secrest	

VACANCIES: 001

On motion of Representative Berkowitz, **HCS SS SCS SBs 837, 866, 972 & 990, as amended**, was adopted.

On motion of Representative Berkowitz, **HCS SS SCS SBs 837, 866, 972 & 990, as amended**, was read the third time and passed by the following vote:

AYES: 112

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Campbell	Carnahan	Clayton
Cooper	Copenhaver	Crump	Curls	Davis
Dolan	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Haywood
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Quinn
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Robirds	Scheve	Schwab
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 038

Ballard	Bartelsmeyer	Bartle	Boatright	Burcham
Byrd	Champion	Cierpiot	Crawford	Crowell
Daus	Dempsey	Enz	Gaskill	Griesheimer
Hanaway	Harding	Henderson	Hendrickson	Hohulin
Jetton	Linton	Lograsso	Marble	Marsh
Moore	Nordwald	Phillips	Portwood	Rector
Ridgeway	Roark	Ross	Scott	St. Onge
Surface	Townley	Wright		

PRESENT: 001

Purgason

ABSENT WITH LEAVE: 011

Boykins	Burton	Cunningham	Foley	Harlan
Hartzler	Long	Monaco	Secrest	Van Zandt
Wagner				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCS SB 680**, relating to the Missouri Commission on Obesity, was taken up by Representative Barry.



Representative Barry offered **HS HCS SCS SB 680**.

Representative Portwood offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, by inserting at the appropriate location the following section:

**“34.375. 1. This section shall be known and may be cited as the "Missouri Calcium Initiative".**

**2. The purchasing agent for any governmental entity that purchases food or beverages to be processed or served in a building or room owned or operated by such governmental entity shall give preference to foods and beverages that:**

**(1) Contain a higher level of calcium than products of the same type and quality; and**

**(2) Are equal to or lower in price than products of the same type and quality.**

**3. Notwithstanding the provisions of subsection 2 of this section to the contrary, if a state institution determines that a high calcium food or beverage that is preferred pursuant to subsection 2 of this section will interfere with the proper treatment and care of a patient of such institution, the purchasing agent shall not be required to purchase the high calcium food or beverage for such patient.**

**4. The requirements of this section shall be in addition to any requirements placed upon a governmental entity by the United States Department of Agriculture under the National School Lunch Program or the School Breakfast Program.**

**5. For purposes of this section, "governmental entity" means the state of Missouri, its departments, agencies, boards, commissions and institutions, and all school districts of the state. Governmental entity does not include political subdivisions of the state.**

**6. Notwithstanding the provisions of this section to the contrary, a purchasing agent who has entered into a contract with a supplier before July 1, 2002, to purchase food and beverages shall not be required to purchase high calcium foods and beverages if purchasing such products would change the terms of the contract.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 1** was adopted.

**HCS SCS SB 680, with HS, as amended, pending,** was laid over.

**MOTIONS**

Representative Foley moved that Rule 26 be suspended to allow the members of the House Conference Committee on **HS HCS SS SB 1248, as amended**, to meet while the House is in session.

Which motion was adopted by the following vote:

AYES: 094

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz

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Green 15	Hagan-Harrell	Hampton	Harding	Harlan
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 27	Kelly 36	King	Koller	Liese
Lowe	Luetkenhaus	Mayer	Mays 50	McKenna
Merideth	Murphy	O'Connor	O'Toole	Overschmidt
Paone	Portwood	Ransdall	Reid	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Townley
Treadway	Troupe	Van Zandt	Villa	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 054

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Black	Boatright	Burcham	Champion	Cierpiot
Cooper	Crawford	Crowell	Dempsey	Dolan
Enz	Fares	Gaskill	Griesheimer	Hanaway
Henderson	Hendrickson	Hunter	Jetton	Kelley 47
Legan	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Miller	Moore	Myers	Naeger
Nordwald	Phillips	Purgason	Quinn	Rector
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Shields	Shoemaker
St. Onge	Surface	Vogel	Wright	

PRESENT: 001

Cunningham

ABSENT WITH LEAVE: 013

Ballard	Berkstresser	Burton	Byrd	Green 73
Hohulin	Lawson	Linton	Long	Monaco
Ostmann	Secrest	Thompson		

VACANCIES: 001

Representative O'Toole moved that Rule 26 be suspended to allow the members of the House Conference Committee on **HS HCS SCS SB 712, as amended**, to meet while the House is in session.

Which motion was adopted by the following vote:

AYES: 088

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Britt	Brooks	Campbell	Carnahan	Clayton
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly

Jones	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Murphy	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Relford	Reynolds
Rizzo	Scheve	Seigfreid	Selby	Shelton
Shoemyer	Skaggs	Smith	Thompson	Treadway
Troupe	Van Zandt	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 062

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Gaskill
Griesheimer	Hanaway	Hartzler	Henderson	Hendrickson
Hunter	Jetton	Kelley 47	Kelly 144	King
Lograsso	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Myers	Naeger
Nordwald	Phillips	Portwood	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Shields	Shoemaker	St. Onge	Surface	Townley
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Bray 84	Burton	Byrd	Copenhaver
Green 73	Hohulin	Legan	Linton	Long
Ostmann	Secrest			

VACANCIES: 001

Representative Monaco assumed the Chair.

### THIRD READING OF SENATE BILLS

**HCS SCS SB 680, with HS, as amended, pending**, relating to the Missouri Commission on Obesity, was again taken up by Representative Barry.

Representative Hunter offered **House Amendment No. 2**.

Representative Barry raised a point of order that **House Amendment No. 2** is not germane to the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Wright offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, Pages 6 and 7, Section 192.975, by deleting the words [shall] on Page 6, Line 23, and Page 7, Line 2, and inserting the word “**may**”; and

Further amend Page 7, Line 7, by deleting the word [shall] and inserting the word “**should**”; and delete Lines 16 and 17 of said page and renumber the remaining subsections accordingly.

Representative Lograsso requested a division of the question on **House Amendment No. 2**.

*House Amendment No. 2*

PART I

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, Pages 6 and 7, Section 192.975, by deleting the words [shall] on Page 6, Line 23, and Page 7, Line 2, and inserting the word “**may**”.

Representative Wright moved that **Part I of House Amendment No. 2** be adopted.

Which motion was defeated.

*House Amendment No. 2*

PART II

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, Page 7, Line 7, by deleting the word [shall] and inserting the word “**should**”.

On motion of Representative Wright, **Part II of House Amendment No. 2** was adopted.

*House Amendment No. 2*

PART III

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, Page 7, by deleting Lines 16 and 17 of said page and renumbering the remaining subsections accordingly.

Representative Wright moved that **Part III of House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Cunningham offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, Page 4, Section 192.975, Line 13, by deleting the words “twenty-two” and inserting in lieu thereof the following: “**twenty-three**”; and

Further amend said section, Page 6, Line 4, by inserting the following:

**“21. A representative of the Missouri State Chiropractor’s Association”.**

On motion of Representative Cunningham, **House Amendment No. 3** was adopted.

Representative Ladd Baker offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, Page 7, Section 192.975, Line 23, by inserting after all of said line the following:

**“Section 1. 1. Notwithstanding any provision of the law to the contrary, until the provision of 208.151.1(25) RSMo 2001 is fully implemented at 100% of poverty, an otherwise eligible individual shall be eligible for payment of Medicaid allowable expenses in accordance with department of social services policy in effect on January 1, 2002. This section shall be null and void if after investigation, appeal and final determination, the Center for Medicare and Medicaid Services declares this policy violates the Medicaid program rules for a 209(b) state.**

**2. The Personal Independence Commission shall study the issue of spend down. Such study shall include but not be limited to: the effects of spend down on the population served; a comparison of Missouri’s spend down program with similar programs in other states; develop alternatives that will service the population’s needs in a manner that is equitable but flexible to the needs and circumstances of the individual, encourages responsible utilization of the services and is fiscally responsible. By December 1, 2002, the Commission shall present its findings and recommendations to the Governor and General Assembly.”; and**

Further amend said bill in the title, enacting clause and intersectional references accordingly.

On motion of Representative Ladd Baker, **House Amendment No. 4** was adopted.

Representative Relford offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, by inserting in the appropriate location the following:

**“660.099. 1. The general assembly may appropriate funds in addition to the amount currently being provided per annum for nutrition services for the elderly. Funds so designated to provide nutrition services for the elderly shall be allocated to the Missouri division of aging to be placed on the formula basis and distributed to each area agency on aging throughout the state of Missouri.**

**2. The general assembly may appropriate funds in addition to the amount currently being provided per annum through the Missouri elderly and handicapped transportation program. Funds so designated to provide transportation for the elderly and developmentally disabled shall be allocated to the Missouri division of aging to be placed on the formula basis and distributed to each area agency on aging throughout the state of Missouri.**

**3. The general assembly may appropriate funds in addition to the amount currently being provided per annum for home-delivered meals for the elderly. Such additional funds shall be allocated to the Missouri division of aging [to be placed on the formula basis] and distributed to each area agency on aging throughout the state of Missouri based on the actual number of meals served in each area during the previous fiscal year.”; and**

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Relford, **House Amendment No. 5** was adopted.

Representative Portwood offered **House Amendment No. 6**.

Representative Hollingsworth raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Barry, **HS HCS SCS SB 680, as amended**, was adopted.

On motion of Representative Barry, **HS HCS SCS SB 680, as amended**, was read the third time and passed by the following vote:

AYES: 101

Abel	Baker	Barry 100	Bearden	Berkowitz
Berkstresser	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Campbell	Carnahan
Champion	Clayton	Copenhaver	Crawford	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Fares	Farnen	Franklin	Fraser	Gambara
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 36	Koller	Lawson	Liese	Lowe
Luetkenhaus	Marble	Mays 50	McKenna	Miller
Monaco	Moore	Murphy	Nordwald	O'Connor
Ostmann	Overschmidt	Paone	Portwood	Quinn
Ransdall	Reinhart	Relford	Reynolds	Rizzo
Scheve	Selby	Shelton	Shields	Skaggs
Smith	St. Onge	Thompson	Treadway	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 050

Barnett	Barnitz	Bartelsmeyer	Bartle	Behnen
Black	Boatright	Burcham	Burton	Byrd
Cierpiot	Cooper	Crowell	Enz	Froelker
Gaskill	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelly 144	King	Legan
Linton	Lograsso	Luetkemeyer	Marsh	May 149
Mayer	Merideth	Myers	Naeger	O'Toole
Phillips	Purgason	Rector	Reid	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Seigfreid	Shoemyer	Townley	Whorton

PRESENT: 001

Shoemaker

ABSENT WITH LEAVE: 010

Ballard	Boykins	Dolan	Foley	Kelly 27
Long	Secrest	Surface	Troupe	Van Zandt

VACANCIES: 001

Representative Monaco declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 094

Abel	Baker	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Campbell	Carnahan	Clayton	Copenhaver
Crawford	Crump	Cunningham	Curls	Daus
Davis	Fares	Farnen	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 36	Koller	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Monaco
Moore	Murphy	Nordwald	O'Connor	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
St. Onge	Thompson	Treadway	Van Zandt	Villa
Wagner	Walker	Walton	Ward	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 058

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crowell	Dempsey	Enz	Froelker
Gaskill	Hegeman	Henderson	Hendrickson	Hohulin
Hunter	Jetton	Kelly 144	King	Legan
Linton	Luetkemeyer	Marble	Marsh	May 149
Mayer	Merideth	Miller	Myers	Naeger
O'Toole	Phillips	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Shoemaker	Shoemyer	Townley
Vogel	Whorton	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Boykins	Dolan	Foley	Kelly 27	Lograsso
Long	Purgason	Secrest	Surface	Troupe

VACANCIES: 001

Speaker Pro Tem Abel resumed the Chair.

**HCS SB 718**, relating to the Pledge of Allegiance in public schools, was taken up by Representative Berkowitz.

Representative Hollingsworth offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 718, Page 1, Section 171.021, Line 8, by adding after the word “week” the following:

**“, and such schools shall also ensure the singing of the National Anthem, all eight verses, the recitation of the Declaration of Independence, and the wearing of red, white and blue once a week.”**

Representative Portwood offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1*

*to*

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 718, Lines 2 and 3 of said amendment, by deleting the words “, all eight verses,” and inserting in lieu thereof the word **“and”**; and

Further amend said amendment, Lines 5 and 6, by deleting all of said lines and inserting in lieu thereof the following: **“at least once a year by grade 5”**.

On motion of Representative Portwood, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Hollingsworth moved that **House Amendment No. 1, as amended**, be adopted.

Which motion was defeated.

Representative Cunningham offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 718, Page 1, Section 2, Line 8, by inserting after the word “student” the following: **“or member of the faculty or staff”**.

Representative Cunningham moved that **House Amendment No. 2** be adopted.



Which motion was defeated.

Representative Gaskill offered **House Amendment No. 3**.

Representative Clayton raised a point of order that **House Amendment No. 3** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Merideth offered **House Amendment No. 3**.

Representative Berkowitz raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Fraser offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 718, Page 1, by deleting the word “ensure” and inserting in its place the word “**encourage**”; and by deleting “in at least one scheduled class of every pupil enrolled in that school no less often than once per week.”

Representative Fraser moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 025

Bland	Bowman	Bray 84	Carnahan	Curls
Daus	Farnen	Fraser	Green 15	Haywood
Hilgemann	Hollingsworth	Jones	McKenna	Scheve
Shelton	Thompson	Troupe	Van Zandt	Wagner
Walker	Walton	Williams	Wilson 25	Wilson 42

NOES: 107

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Boucher	Britt	Burcham	Burton
Campbell	Champion	Cierpiot	Clayton	Cooper
Crawford	Crowell	Cunningham	Davis	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
George	Gratz	Griesheimer	Hampton	Hanaway
Harding	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hohulin	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Kelley 47	Kelly 144	Kelly 36	King	Legan
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	Merideth

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Miller	Moore	Myers	Nordwald	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Schwab	Scott	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Townley	Treadway
Villa	Vogel	Ward	Whorton	Willoughby
Wright	Mr. Speaker			

PRESENT: 002

Barry 100                  Gambaro

ABSENT WITH LEAVE: 028

Abel	Baker	Bonner	Boykins	Brooks
Byrd	Copenhaver	Crump	Foley	Franklin
Graham	Green 73	Hagan-Harrell	Harlan	Holand
Kelly 27	Koller	Lawson	Liese	Long
Marsh	Monaco	Murphy	Naeger	O'Connor
O'Toole	Ostmann	Secrest		

VACANCIES: 001

Representative Legan offered **House Amendment No. 4**.

Representative Seigfreid raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Berkowitz, **HCS SB 718** was adopted.

On motion of Representative Berkowitz, **HCS SB 718** was read the third time and passed by the following vote:

AYES: 136

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curts	Davis
Dempsey	Dolan	Fares	Farnen	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble

May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Ward	Whorton	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 009

Bray 84	Brooks	Daus	Fraser	Harlan
Hollingsworth	Shelton	Van Zandt	Wilson 25	

PRESENT: 001

Williams

ABSENT WITH LEAVE: 016

Boykins	Enz	Foley	Franklin	Graham
Green 73	Kelly 27	Koller	Lawson	Long
Marsh	Monaco	O'Toole	Ostmann	Secrest
Walton				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS SB 1266**, relating to tobacco sales, was taken up by Representative O'Toole.

Representative O'Toole offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 1266, Page 2, Section 149.200, Lines 41 and 42, by deleting all of said lines and inserting in lieu thereof the following:

**"4. Any licensed wholesaler who knowingly violates this section is guilty of a class C misdemeanor."**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative O'Toole moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 009

George	Graham	Green 15	Hagan-Harrell	Lowe
O'Connor	O'Toole	Reynolds	Wagner	

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NOES: 138

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Fraser
Froelker	Gambaro	Gaskill	Gratz	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Linton	Lograsso	Long	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 014

Baker	Barnett	Boykins	Crump	Foley
Franklin	Green 73	Harlan	Koller	Marsh
Monaco	Secrest	Van Zandt	Wright	

VACANCIES: 001

On motion of Representative O'Toole, **SCS SB 1266** was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Franklin	Fraser	Froelker
Gambaro	Gaskill	Graham	Gratz	Green 15

Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 006

George	OToole	Reynolds	Rizzo	St. Onge
Wagner				

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Boykins	Foley	Green 73	Harlan
Koller	Long	Marsh	Mayer	Monaco
Secrest	Van Zandt			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider assumed the Chair.

### **SIGNING OF HOUSE BILL**

All other business of the House was suspended while **SS HB 2023** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS HB 2023** was delivered to the Governor by the Chief Clerk of the House.

Speaker Pro Tem Abel resumed the Chair.

### **THIRD READING OF SENATE BILL - INFORMAL**

**HCS SS SCS SBs 969, 673 & 855**, relating to sex crimes and crime prevention, was taken up by Representative Smith.

Representative Smith offered **HS#2 HCS SS SCS SBs 969, 673 & 855**.

Representative Reid offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, by inserting in the appropriate location the following:

“547.170. In all cases where an appeal or writ of error is prosecuted from a judgment in a criminal cause, except where the defendant is under sentence of death or imprisonment in the penitentiary for life, or a sentence of imprisonment for a violation of sections 195.222, RSMo, 565.021, RSMo, 565.050, RSMo, [or] subsections 1 and 2 of section 566.030, **566.032, 566.040, 566.060, 566.062, 566.070, 566.100**, RSMo, any court or officer authorized to order a stay of proceedings under the preceding provisions may allow a writ of habeas corpus, to bring up the defendant, and may thereupon let him to bail upon a recognizance, with sufficient sureties, to be approved by such court or judge.”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Reid, **House Amendment No. 1** was adopted.

Representative Reid offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, by inserting the following in the appropriate location:

**"565.305. 1. As used in this section, the following words and phrases shall mean:**

(1) "Clone a human being" or "cloning a human being", genetic duplication or replication of a human being, whether living or deceased, regardless of the stage of development of such human being, from whom genetic material was donated or taken in order to complete such duplication or replication;

(2) "Public employee", any person employed by the state of Missouri or any agency or political subdivision thereof;

(3) "Public facilities", any public institution, public facility, public equipment, or any physical asset owned or leased, or controlled by the state of Missouri or any agency or political subdivision thereof;

(4) "Public funds", any funds received or controlled by the state of Missouri or any agency or political subdivision thereof, including, but not limited to, funds derived from federal, state or local taxes, gifts or grants from any source, public or private, federal grants or payments, or intergovernmental transfers.

2. No person shall knowingly clone a human being, or participate in cloning a human being.

3. No person shall knowingly use public funds to clone a human being or attempt to clone a human being.

4. No person shall knowingly use public facilities for the purpose of cloning a human being or attempting to clone a human being.

5. No public employee shall knowingly allow any person to clone a human being or attempt to clone a human being while making use of public funds or public facilities.

6. Violation of subsections 2 to 5 of this section shall be a class B felony."; and

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Reid, **House Amendment No. 2** was adopted.

Representative Hosmer offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, Page 30, Line 4, by inserting in the appropriate place the following:

**“Section 2. 1. No person less than twenty-one years of age shall dance in an adult cabaret as defined in section 573.500, RSMo, nor shall any proprietor of such establishment permit any person less than twenty-one years of age to dance in an adult cabaret.**

**2. Any person who violates the provisions of subsection 1 of this section is guilty of a class A misdemeanor.”**

Representative Lograsso raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Hosmer moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Smith, **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, was adopted.

On motion of Representative Smith, **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, was read the third time and passed by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith

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St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Bartelsmeyer	Berkstresser	Boykins	Burcham	Cierpiot
Crump	Enz	Foley	Franklin	Green 73
Harlan	Johnson 61	Kelly 27	Marsh	Murphy
Reinhart	Secrest	Van Zandt		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Fares	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 017

Bartelsmeyer	Bearden	Boykins	Cierpiot	Crump
Enz	Farnen	Foley	Green 73	Harlan
Johnson 61	Marsh	Murphy	Portwood	Secrest
Surface	Van Zandt			

VACANCIES: 001

Representative Monaco assumed the Chair.

### THIRD READING OF SENATE BILLS

**HCS SCS SB 892**, relating to cemetery services, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HCS SCS SB 892** was adopted.

On motion of Representative O'Connor, **HCS SCS SB 892** was read the third time and passed by the following vote:

AYES: 138

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Troupe
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 012

Bearden	Boatright	Burcham	Henderson	Hendrickson
Hohulin	Hunter	Kelly 144	Lawson	Phillips
Purgason	Treadway			

PRESENT: 000

ABSENT WITH LEAVE: 012

Boykins	Crump	Enz	Foley	Franklin
Green 73	Harlan	Lograsso	Marsh	Murphy
Secrest	Van Zandt			

VACANCIES: 001

Representative Monaco declared the bill passed.

**SCS SB 1026**, relating to health insurance, was taken up by Representative Barry.

Representative Barry offered **HS SCS SB 1026**.

Representative Portwood offered **House Amendment No. 1**.

Representative Barry raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Wright offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1026, Page 1, Section A, Line 11, by inserting the following:

**“376.1231. 1. For purposes of this section, "health care provider" or "provider" means a chiropractic physician licensed pursuant to chapter 331, RSMo, or a medical physician or surgeon licensed pursuant to chapter 334, RSMo. Any health carrier, as defined in section 376.1350, shall not discriminate against any health care provider or group of providers based on licensure, or limit or restrict the diagnosis, treatment, management, or reimbursement of the same or similar condition, injury, complaint, disorder, or ailment while acting within the scope of their practice.**

**2. All health care providers may be subject to reasonable deductibles, co-payment, and coinsurance amounts, fee or benefit limits, practice parameters and reasonable utilization review; provided that any such amounts, limits, and review shall not function to direct treatment in a manner which unfairly discriminates against any health care providers and are no more restrictive than those applicable under the same policy of care or services provided by other health care providers in the diagnosis, treatment, and management of the same or similar conditions, injuries, complaints, disorders, or ailments, even if differing nomenclature is used to describe the condition, injury, complaint, disorder, or ailment.”; and**

Further amend title, enacting clause and intersectional references accordingly.

Representative Wright moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Ballard	Bartelsmeyer	Bartle	Bearden	Berkstresser
Black	Boatright	Burton	Byrd	Crawford
Crowell	Cunningham	Fares	Green 15	Hampton
Hanaway	Hartzler	Henderson	Hohulin	Jetton
Johnson 90	Jolly	Kelley 47	King	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Marble	May 149	Miller	Moore	Myers
Naeger	Ostmann	Phillips	Portwood	Rector
Reid	Reinhart	Richardson	Ridgeway	Rizzo
Roark	Ross	Scott	Shields	Shoemaker
Smith	St. Onge	Surface	Townley	Vogel
Wright				

NOES: 083

Abel	Barnett	Barnitz	Barry 100	Behnen
Berkowitz	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Burcham	Campbell	Carnahan
Champion	Clayton	Copenhaver	Curls	Daus
Davis	Dempsey	Farnen	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Harding	Haywood
Hegeman	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jones	Kelly 27
Koller	Lawson	Lowe	Luetkenhaus	Mayer
Mays 50	McKenna	Merideth	Monaco	Nordwald
O'Connor	O'Toole	Overschmidt	Paone	Purgason
Quinn	Ransdall	Relford	Reynolds	Robirds
Scheve	Schwab	Seigfreid	Selby	Shelton
Shoemyer	Thompson	Treadway	Troupe	Villa
Wagner	Walker	Walton	Ward	Whorton
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 001

Kelly 36

ABSENT WITH LEAVE: 022

Baker	Boykins	Brooks	Cierpiot	Cooper
Crump	Dolan	Enz	Foley	Franklin
Harlan	Hickey	Hunter	Johnson 61	Kelly 144
Marsh	Murphy	Secrest	Skaggs	Van Zandt
Williams	Willoughby			

VACANCIES: 001

Representative Treadway offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 1026, Page 1, Section A, Line 2, by inserting after all of said line the following:

"194.220. 1. Any individual of sound mind who is at least eighteen years of age may give all or any part of his **or her** body for any purpose specified in section 194.230, the gift to take effect upon death. **Any individual who is a minor and at least sixteen years of age may effectuate a gift for any purpose specified in section 194.230, provided parental or guardian consent is deemed given. Parental or guardian consent shall be noted on the minor's donor card, application for the donor's instruction permit or driver's license, or other document of gift.** An express gift that is not revoked by the donor before death is irrevocable, and the donee shall be authorized to accept the gift without obtaining the consent of any other person.

2. Any of the following persons, in order of priority stated, when persons in prior classes are not available at the time of death, and in the absence of actual knowledge of a gift by the decedent [under] **pursuant to** subsection 1 of this section or actual notice of contrary indications by the decedent [or of opposition by a member of the same or a prior class], may give all or any part of the decedent's body for any purpose specified in section 194.230:

(1) An attorney in fact under a durable power of attorney that expressly refers to making a gift of all or part of the principal's body [under] **pursuant to** the uniform anatomical gift act;

(2) The spouse;

(3) An adult son or daughter;

(4) Either parent;

(5) An adult brother or sister;

(6) A guardian of the person of the decedent at the time of his **or her** death;

(7) Any other person authorized or under obligation to dispose of the body.

3. If the donee has actual notice of contrary indications by the decedent [or that a gift by a member of a class is opposed by a member of the same or a prior class], the donee shall not accept the gift. The persons authorized by subsection 2 of this section may make the gift after or immediately before death.

4. A gift of all or part of a body authorizes any examination necessary to assure medical acceptability of the gift for the purposes intended.

5. The rights of the donee created by the gift are paramount to the rights of others except as provided by subsection 4 of section 194.270.

194.230. The following persons may become donees of gifts of bodies or parts thereof for the purposes stated:

(1) Any hospital, surgeon, or physician, for medical or dental education, research, advancement of medical or dental science, therapy, or transplantation; or

(2) Any accredited medical or dental school, college or university or the state anatomical board for education, research, advancement of medical or dental science, or therapy; or

(3) Any bank or storage facility, for medical or dental education, research, advancement of medical or dental science, therapy, or transplantation; or

(4) Any specified individual for therapy or transplantation needed by [him] **such individual.**"; and

Further amend said bill, Page 8, Section 376.1253, Line 1 of said page, by inserting after all of said line the following:

**"376.1275. 1. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2003, shall include coverage for their members for the cost for human leukocyte antigen testing, also referred to as histocompatibility locus antigen testing, for A, B, and DR antigens for utilization in bone marrow transplantation. The testing must be performed in a facility which is accredited by the American Association of Blood Banks or its successors, and is licensed under the Clinical Laboratory Improvement Act, 42 U.S.C. Section 263a, as amended, and is accredited by the American Association of Blood Banks or its successors, the College of American Pathologists, the American Society for Histocompatibility and Immunogenetics (ASHI) or any other national accrediting body with requirements that are substantially equivalent to or more stringent than those of the College of American Pathologists. At the time of testing, the person being tested must complete and sign an informed consent form which also authorizes the results of the test to be used for participation in**

the National Marrow Donor Program. The health benefit plan may limit each enrollee to one such testing per lifetime to be reimbursed at a cost of no greater than one hundred twenty-five dollars by the health carrier or health benefit plan.

2. For the purposes of this section, "health carrier" and "health benefit plan" shall have the same meaning as defined in section 376.1350.

3. The health care service required by this section shall not be subject to any greater deductible or copayment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months or less duration, or any other supplemental policy as determined by the director of the department of insurance.

Section 1. The provisions of subsection 1 of section 294.220, RSMo, relating to allowing a minor who is at least sixteen years of age to effectuate a gift for any purpose specified in section 194.230, RSMo, through the driver's license or instruction permit application process, shall be effective July 1, 2003."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Treadway, **House Amendment No. 2** was adopted.

On motion of Representative Barry, **HS SCS SB 1026, as amended**, was adopted.

On motion of Representative Barry, **HS SCS SB 1026, as amended**, was read the third time and passed by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Campbell	Carnahan	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Fares
Farnen	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Boykins	Brooks	Byrd	Cierpiot
Crump	Dolan	Enz	Foley	Franklin
Green 73	Harlan	Hickey	Hunter	Kelly 144
Marsh	Monaco	Murphy	Secrest	Skaggs
Van Zandt	Williams			

VACANCIES: 001

Representative Monaco declared the bill passed.

Speaker Pro Tem Abel resumed the Chair.

**HCS SS SCS SB 840**, relating to the statute of limitations, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS SS SCS SB 840** was adopted.

On motion of Representative Hosmer, **HCS SS SCS SB 840** was read the third time and passed by the following vote:

AYES: 139

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Fares	Farnen	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott

Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Surface	Thompson
Townley	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Barnitz	Boykins	Cierpiot	Crump
Enz	Foley	Franklin	Green 73	Harlan
Haywood	Hickey	Hunter	Kelly 144	Lawson
Marsh	Monaco	Murphy	Secrest	Skaggs
Treadway	Van Zandt	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SS#2 SCS SBs 984 & 985**, relating to the Department of Natural Resources, was taken up by Representative Merideth.

Representative Merideth offered **HS SS#2 SCS SBs 984 & 985**.

Representative Merideth offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985, Page 31, Section 247.220, Line 13 of said page, by deleting the word “**absolutely**”.

On motion of Representative Merideth, **House Amendment No. 1** was adopted.

Representative Barnitz offered **House Amendment No. 2**.

**House Amendment No. 2** was withdrawn.

Representative Merideth offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985, Page 63, Section 644.036, Lines 24 and 25 of said page, by deleting all of said lines; and

Further amend said bill, Page 64, Section 644.036, Lines 1 to 3 of said page, by deleting all of said lines and inserting in lieu thereof the following:

**“5. Any listing required by Section 303(d) of the federal Clean Water Act, as amended, 33 U.S.C. 1251 et seq., to be sent to the U.S. Environmental Protection Agency for their approval that will result in any waters of this state being classified as impaired shall be adopted by rule pursuant to chapter 536, RSMo. Total maximum daily loads shall not be required for any listed waters that subsequently are determined to meet water quality standards.”.**

On motion of Representative Merideth, **House Amendment No. 2** was adopted.

Representative Merideth offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985, by inserting at the appropriate location the following section:

**"644.581. Notwithstanding the provisions of section 644.570, RSMo, concerning the percentage ratio disbursement of grants and loans, if the full amount of grant and loan funds available for percentage ratio disbursement pursuant to section 644.578, 644.579, or 644.580, RSMo, are not disbursed to and accepted by eligible recipients, the department shall disburse any remaining funds to one or more of the other eligible recipients to which funds have already been disbursed and accepted.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Merideth, **House Amendment No. 3** was adopted.

Representative Selby offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985, Page 7, Section 643.335, by inserting in the appropriate location the following:

**“643.335. 1. The commission shall establish, by rule, a waiver amount which may be lower for older model vehicles and which, prior to January 1, 2001, shall be no greater than seventy-five dollars for model year vehicles prior to 1981, no greater than two hundred dollars for model year vehicles of 1981 to 1996 and no greater than four hundred and fifty dollars for model year vehicles of 1997 and all subsequent model years. On and after January 1, 2001, the commission may, by rule, set the waiver amount, except that the waiver amount shall not exceed the waiver amount provided in the federal Clean Air Act, as amended, 42 U.S.C. 7401 et seq., and the regulations promulgated thereunder for the enhanced motor vehicle emissions inspection.**

**2. The commission shall establish, by rule, a form and a procedure for verifying that repair and adjustment was performed on a failing vehicle prior to the granting of a waiver and approval.**

**3. The waiver form established pursuant to subsection 2 of this section shall be an affidavit requiring:**

**(1) A statement signed by the repairer that the specified work was done and stating the itemized charges for the work; and**

**(2) A statement signed by the emissions inspection contractor that an inspection of the vehicle verified, to the extent practical, that the specified work was done.**

**4. A vehicle which fails upon reinspection to meet the emissions standards specified by the commission shall have the emissions standards waived and receive approval only if the owner furnishes a complete, signed affidavit satisfying the requirements of subsection 3 of this section and the cost of the parts, repairs and adjustment work performed is equal to or greater than the waiver amount established by the commission. Costs for repair work may only be included toward reaching the waiver amount if the repairs are performed by a recognized repair technician as defined by rule. The Commission shall establish, by rule, that costs for parts included toward reaching the waiver**



**amount shall include, to the maximum extent appropriate, reasonable costs for purchase of tools required to perform repairs and adjustment work on a failing vehicle owned by the person purchasing such tools.**

5. No cost for parts, repairs or adjustments shall be included toward reaching the waiver amount if such costs are covered by an emission control performance warranty provided by the manufacturer at no additional cost to the vehicle owner unless the vehicle owner provides, with the affidavit, a written denial of warranty remedy from the motor vehicle manufacturer, dealer or other person providing the warranty.

6. No cost for parts, repairs or adjustments shall be included toward reaching the waiver amount if such costs are required to correct the effects of tampering with emissions systems or air pollution control devices.”; and

Further amend title, enacting clause and intersectional references accordingly.

Representative Merideth raised a point of order that **House Amendment No. 4** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Britt assumed the Chair.

On motion of Representative Selby, **House Amendment No. 4** was adopted.

Representative Smith offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985, by inserting at the appropriate location the following:

“[644.018. In any contested case or judicial proceeding filed after January 1, 1998, involving surface water in any flood-prone area, if any defendant has obtained and fully complied with a permit from a political subdivision which has enacted orders or ordinances as required by the Federal Emergency Management Agency as a prerequisite to participation in the National Flood Insurance Program, and which political subdivision has jurisdiction, pursuant to the zoning laws of this state or the laws and regulations of the Federal Emergency Management Agency, over the area in dispute, then the proper permitting and compliance with all conditions of such permitting of such project shall be conclusive proof that the project is a reasonable use and meets any reasonable-use test imposed by law or by a court.]”; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Smith, **House Amendment No. 5** was adopted.

Representative Barnitz offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985, Page 46, Section 414.043, Line 16 of said page, by deleting the words “**January 1, 2004**” and inserting in lieu thereof the following: “**July 31, 2005**”.

On motion of Representative Barnitz, **House Amendment No. 6** was adopted.

On motion of Representative Merideth, **HS SS#2 SCS SBs 984 & 985, as amended**, was adopted.

On motion of Representative Merideth, **HS SS#2 SCS SBs 984 & 985, as amended**, was read the third time and passed by the following vote:

AYES: 132

Abel	Barnitz	Barry 100	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Enz	Fares	Farnen	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Seigfreid	Selby	Shelton	Shoemaker	Shoemyer
Smith	St. Onge	Surface	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 001

Jetton

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 028

Baker	Ballard	Barnett	Bartelsmeyer	Bland
Boykins	Cooper	Crump	Dempsey	Dolan
Foley	Franklin	Fraser	Froelker	Hunter
Long	Marsh	Monaco	O'Connor	Portwood
Reid	Secrest	Shields	Skaggs	Thompson
Townley	Treadway	Willoughby		

VACANCIES: 001

Representative Britt declared the bill passed.

**HCS SB 989**, relating to property tax, was taken up by Representative Hartzler.

Representative Fares offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 989, by inserting the following in the appropriate location:

**"137.776. As used in sections 137.776 to 137.782, the following terms mean:**

- (1) "Assessor", the county assessor as provided for in chapter 53, RSMo;**
- (2) "Certificate of value", a form for reporting the following:**
  - (a) In the case of any deed not a gift, the amount of the full actual consideration therefor, paid or to be paid, including the amount of any lien or liens thereon; and**
  - (b) A statement of the actual or intended use of such property; and**
  - (c) A statement as to whether or not the transaction was at arms length; or**
  - (d) The reason or reasons why any information set out in paragraphs (a) and (b) of this subdivision is not required, as set forth in section 137.780;**
- (3) "Recorder", the recorder of deeds as provided for in chapter 59, RSMo;**
- (4) "Residential, commercial or industrial real property", property which in the most recent assessment prior to the property's transfer was assessed as residential property or as utility, industrial, commercial, railroad and other real property as defined in section 137.016.**

**137.777. 1. No recorder shall accept for recording any deed or instrument by which any interest in residential, commercial, or industrial real property within the state of Missouri shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, any person or persons unless the deed or instrument indicates, in a manner to be determined by the state tax commission, that a completed certificate of value has been delivered to the assessor. The assessor shall file any certificate of value received by such assessor.**

**2. The following persons are responsible for the delivery of a certificate of value:**

- (1) The grantee of the deed or instrument, or any responsible officer or agent of a grantee which is a corporation, partnership or other entity; or**
- (2) The attorney, real estate agent or broker, or title company representing the grantee in any such transaction, or delivering the deed or other instrument to the recorder, and including each responsible officer and agent of the foregoing.**

**137.779. 1. Each certificate of value delivered pursuant to sections 137.776 to 137.782 shall be affirmed by one of the grantees, or the grantee's legal representative, as to the veracity of the declaration of value of the residential, commercial, or industrial real property transferred.**

**2. The form of the certificate of value shall include the affirmation required by subsection 1 of this section and shall be prescribed by the state tax commission, which shall provide an adequate supply of such forms without charge to each recorder in the state.**

**3. All certificates of value shall be made available by the assessor to the state tax commission or its representatives.**

**137.780. The financial data required on the certificate of value pursuant to sections 137.776 to 137.782 need not be provided on a certificate of value for a transfer of title or other interest in residential, commercial, or industrial real property:**

- (1) When the consideration for the interest or property conveyed is less than one hundred dollars;**
- (2) Made solely to provide or release security for a debt or obligation;**
- (3) Which confirms or corrects a deed previously recorded;**
- (4) Between husband and wife or parent and child with only nominal actual consideration therefor;**
- (5) Made in settlement of a dissolution of marriage;**
- (6) Made pursuant to a sale for delinquent taxes;**
- (7) Made in the closing or liquidation of an estate or guardianship estate;**
- (8) On partition;**
- (9) Made by a subsidiary corporation to its parent corporation for no consideration, nominal consideration, or in sole consideration of the cancellation or surrender of the subsidiary's stock;**

- (10) Made in the foreclosure of a deed of trust or other security interest;
- (11) If the instrument was executed prior to the effective date of sections 137.776 to 137.782;
- (12) When the instrument is a mining or mineral lease;
- (13) When the transfer of title is to or from the United States, the state of Missouri, or any other instrumentality, agency, or political subdivision thereof;
- (14) Of cemetery lots;
- (15) When ordered by any court;
- (16) When such property is located in a political subdivision which has established by ordinance or amendment its own system of requiring certificates of value; except that, in such political subdivisions the provision of section 137.779 relating to making certificates of value available to the state tax commission shall apply.

137.782. 1. Except as provided in sections 137.776 to 137.780, no current or former assessor or state tax commissioner or any current or former deputy, employee or agent of such officer shall disclose any information received as a result of the filing of a certificate of value required by sections 137.776 to 137.780. Any information received as a result of the filing of a certificate of value as required by sections 137.776 to 137.780 shall be closed records and shall be exempt from disclosure, examination, and copying pursuant to chapter 610, RSMo.

2. Nothing in sections 137.776 to 137.782 shall be construed to prohibit:

(1) The use of information contained in a certificate of value by the assessor for statistical purposes in implementing a plan of general reassessment, as defined in section 137.073, or implementing an assessment and equalization maintenance plan approved pursuant to section 137.115;

(2) The use of information contained in a certificate of value by the state tax commission in developing ratios as required by chapter 163, RSMo, or other statistical purposes or public proceedings;

(3) The release of information contained in a certificate of value by the assessor upon receipt of a written request to a party who originally delivered the certificate of value or such party's duly authorized representative;

(4) The publication by the state tax commission of statistics so classified as to prevent the identification of particular certificates of value;

(5) The disclosure of certificates of value, or information related thereto, by the assessor upon receipt of a written request to the state auditor or the auditor's authorized employees or agents who have taken the oath of confidentiality required by section 29.070, RSMo, or the publication or disclosure by the state auditor of information concerning the certificates of value provided a particular certificate of value is not disclosed.

3. No deed may be filed without a certificate of value, for which there shall be a filing fee of ten dollars, payable at the time of filing.

137.784. Sections 137.776 to 137.782 shall become effective January 1, 2003.”; and

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Fares moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 043

Baker	Barry 100	Bearden	Bray 84	Byrd
Carnahan	Cunningham	Curls	Daus	Dempsey
Enz	Fares	Franklin	Fraser	Gambara
George	Green 15	Green 73	Hagan-Harrell	Hanaway
Haywood	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Johnson 61	Linton	Lowe	McKenna
Murphy	Ostmann	Paone	Portwood	Reid
Reynolds	Scheve	St. Onge	Treadway	Villa
Walton	Williams	Wilson 42		

NOES: 106

Abel	Ballard	Barnett	Barnitz	Bartle
Behnen	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Boucher	Bowman	Brooks
Burcham	Burton	Campbell	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Davis	Dolan	Farnen	Froelker	Gaskill
Graham	Gratz	Griesheimer	Hampton	Harding
Hartzler	Hegeman	Henderson	Hohulin	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lograsso	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Phillips	Purgason	Quinn
Ransdall	Rector	Reinhart	Relford	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Van Zandt	Vogel
Wagner	Walker	Ward	Whorton	Willoughby
Wilson 25				

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer	Boykins	Britt	Crump	Foley
Harlan	Hickey	Long	Marsh	Secrest
Troupe	Wright	Mr. Speaker		

VACANCIES: 001

Representative Griesheimer offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 989 by inserting the following in the appropriate location:

**“Section 1. No city or county shall be allowed to pass by ordinance or order a certificate of value for purposes of establishing a value for property for purposes of property tax assessment. Any ordinance or order in existence upon the effective date of this section shall be null and void.”; and**

Further amend the title, enacting clause, and intersectional references accordingly.

Representative Griesheimer offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

Representative Fares raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** not a true substitute amendment.

The Chair ruled the point of order well taken.

On motion of Representative Griesheimer, **House Amendment No. 2** was adopted by the following vote:

AYES: 079

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Behnen	Berkstresser	Boatright	Bonner	Boucher
Brooks	Burcham	Burton	Byrd	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Enz
Gaskill	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Hartzler	Henderson	Hohulin	Hunter	Jetton
Johnson 90	Kelley 47	Kelly 27	King	Lawson
Liese	Linton	Lograsso	Luetkemeyer	Marble
May 149	Mayer	McKenna	Miller	Moore
Naeger	Nordwald	Overschmidt	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Relford
Richardson	Ridgeway	Roark	Robirds	Ross
Scheve	Schwab	Scott	Selby	Shields
Shoemaker	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Vogel	Wagner
Walker	Walton	Wright	Mr. Speaker	

NOES: 064

Bearden	Berkowitz	Black	Bland	Bowman
Bray 84	Campbell	Carnahan	Champion	Clayton
Copenhaver	Curls	Daus	Davis	Dempsey
Dolan	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Green 15
Harding	Haywood	Hendrickson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Jolly	Jones	Kelly 36	Koller	Lowe
Luetkenhaus	Mays 50	Merideth	Monaco	Murphy
Myers	O'Connor	O'Toole	Ostmann	Paone
Ransdall	Reid	Reynolds	Rizzo	Seigfreid
Shoemyer	Van Zandt	Villa	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	

PRESENT: 001

Fares

ABSENT WITH LEAVE: 018

Abel	Baker	Ballard	Boykins	Britt
Crump	Gratz	Green 73	Harlan	Hegeman
Holand	Kelly 144	Legan	Long	Marsh
Secrest	Shelton	Skaggs		

VACANCIES: 001

Representative Portwood offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 989 by inserting in the appropriate location the following:

"137.102. 1. This act shall be known and may be cited as "The Missouri Homestead Preservation Act."

2. Notwithstanding any provision of law to the contrary, the assessed value of residential property, excluding any value added by new construction or improvements, which is owned by any person who is under sixty-five years of age and who uses such property as a homestead, or owned by any person who is sixty-five years of age or older who has used such property as a homestead for a period of less than five years, shall not increase during any two-year reassessment period by more than five percent.

3. The assessed value of residential property, excluding any value added by new construction or improvements, which is owned by any person who is sixty-five years of age or older and who has used such property as a homestead shall not increase during the period of time such person resides on that property after attaining the age of sixty-five years."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Hartzler raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Pro Tem Abel resumed the Chair.

Representative Clayton offered **House Amendment No. 1 to House Amendment No. 3.**

**House Amendment No. 1 to House Amendment No. 3** was withdrawn.

Representative Gambaro assumed the Chair.

Representative Relford offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1  
to  
House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 989, Page 1, Line 18, by inserting after the word "years." the following:

"4. If a political subdivision suffers a loss of revenue by reason of such exemption, the political subdivision shall be entitled to restitution from the state for lost revenue. To achieve this restitution, the general assembly shall appropriate funds to be distributed to the affected political subdivision."

Representative Relford moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Portwood, **House Amendment No. 3** was adopted by the following vote:

AYES: 115

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Bland	Boatright	Boucher	Bowman
Boykins	Britt	Byrd	Campbell	Champion
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Davis	Dempsey	Enz	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hampton	Hanaway	Harding
Harlan	Hegeman	Henderson	Hendrickson	Hickey
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Linton	Lograsso	Luetkemeyer	Marble
May 149	Mayer	Mays 50	McKenna	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Smith	St. Onge
Surface	Townley	Troupe	Vogel	Wagner
Walker	Walton	Willoughby	Wilson 42	Mr. Speaker

NOES: 016

Berkstresser	Bray 84	Carnahan	Clayton	Daus
Farnen	Franklin	Fraser	Hagan-Harrell	Hartzler
Haywood	Hilgemann	Thompson	Villa	Williams
Wilson 25				

PRESENT: 002

Brooks	Fares
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ABSENT WITH LEAVE: 029

Black	Bonner	Burcham	Burton	Cierpiot
Crump	Dolan	Foley	Green 73	Hohulin
Johnson 61	Jones	Lawson	Liese	Long
Lowe	Luetkenhaus	Marsh	Merideth	O'Toole
Richardson	Secrest	Shelton	Skaggs	Treadway
Van Zandt	Ward	Whorton	Wright	

VACANCIES: 001

Representative Berkstresser offered **House Amendment No. 4.**



*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 989, Page 2, Section 137.082, Line 41, by inserting after the word "classifications" the words:

**", any county of the first classification with more than thirty-nine thousand seven hundred but less than thirty-nine thousand eight hundred inhabitants,".**

On motion of Representative Berkstresser, **House Amendment No. 4** was adopted.

Speaker Pro Tem Abel resumed the Chair.

**HCS SB 989, as amended,** was laid over.

**APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SS#2 SCS HB 1446:** Representatives Luetkenhaus, Clayton, Ward, Burton and Luetkemeyer

**SCS HB 1402:** Representatives Mays (50), Gratz, O'Toole, Burton and Rector

**HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738:** Representatives Koller, Green (73), Berkowitz, Ostmann and Crawford

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1086**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HB 1348**, entitled:

An act to repeal sections 142.028, 254.020, 254.040, 261.110, 261.230, 261.235, 261.239, 263.531, 270.170, 275.464, 311.554, 348.430, 348.432, 407.750, 407.751, 407.752, 407.850, 407.860, 407.870, 407.890, 407.892, 407.893 and 414.032, RSMo, relating to agriculture, and to enact in lieu thereof twenty-six new sections relating to the same subject, with penalty provisions and a severability clause.

With Senate Amendment No. 2 to Senate Amendment No. 1, Senate Amendment No. 3 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, Senate Amendment No. 2 and Senate Amendment No. 3

*Senate Amendment No. 2*

*to*

*Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1348, Page 2, Section 281.217, Line 27, by striking Lines 27-29.

*Senate Amendment No. 3*  
*to*  
*Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1348, Page 1, Section 281.217, Line 10, by striking “twenty” and inserting “**ten**”; and further on Line 12, by striking “eighty” and inserting “ninety”.

*Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1348, Page 19, Section 275.464, Line 28, by inserting after all of said line the following:

**“281.217. 1. There is hereby created in the state treasury the “Pesticide Project Fund”. In addition to the annual registration fee imposed by section 281.260, an annual registration fee of fifty dollars shall be imposed for each product registered pursuant to section 281.260, and credited to the pesticide project fund. The moneys in the fund shall be used for the following purposes:**

**(1) Up to twenty percent for the administration of the pesticide project fund and the pesticide registration program;**

**(2) Up to eighty percent for distribution to projects that relate to: pesticide and agriculture education efforts; pesticide applicator training; pesticide and water quality monitoring activities; household and agricultural pesticide and pesticide container disposal initiatives; integrated pest management (IPM) practices; and applied research on IPM and water quality improvement programs at the University of Missouri agricultural research stations;**

**2. Notwithstanding the provisions of section 33.080, RSMo, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**3. To be eligible for moneys in the pesticide project fund, applicants shall submit a proposed project plan to the director by March thirty-first, prior to the fiscal year in which the moneys are to be allocated. Allocation of project moneys will be dependent upon an executed memorandum of understanding between the entity receiving the moneys and the director.**

**4. Within thirty days of the end of the state fiscal year in which moneys are allocated, the recipients of the moneys shall submit to the director a report which shall contain an accounting of all moneys expended from the pesticide project fund during such fiscal year and a report of the project or projects for which the moneys were utilized.**

**5. Any unobligated or unexpended project moneys allocated to an entity shall revert to the pesticide project fund within sixty days of the close of the project.**

**6. If an entity fails to complete a project as outlined in the project plan and memorandum of the understanding, the entity shall submit partial or full repayment of the allocated moneys to the pesticide project fund as determined by the director.**

**7. No moneys, except moneys for pesticide project fund or pesticide registration program administration, shall be withdrawn from the fund prior to July 1, 2003.**

**8. If the balance of the pesticide project fund exceeds five million dollars in unobligated funds during any calendar year, fees required for registration of pesticides will be reduced to fifteen dollars the following registration period. When the fund attains a balance of three million dollars, the registration fee will be increased to one hundred twenty-five dollars the following registration period.**

**9. The pesticide project fund shall be administered by the plant industries division, or any successor division, within the department of agriculture.**

**10. The department shall provide a written report to the chairpersons of the house agriculture and senate agriculture, parks and tourism committees at the opening of every session of the Missouri general assembly providing a detailed account of the programs funded and grants made from the pesticide project fund as well as a description of the expected benefit to the agriculture community.**

**11. Any moneys remaining in the pesticide project fund on January 1, 2006, shall revert to the credit of the general revenue fund and the pesticide project fund shall be abolished.**

**12. The provisions of this section shall expire on January 1, 2006.**

281.240. 1. No person shall distribute, sell, offer for sale, hold for sale, deliver for transportation, or transport in intrastate commerce or between points within this state through any point outside of this state any of the following:

(1) Any pesticide which has not been registered pursuant to the provisions of section 281.260, or any pesticide if any of the claims made for it or any of the directions for its use differ in substance from the representations made in connection with its registration, or if the composition of a pesticide differs from its registration; provided that, in the discretion of the director, a minor change in the labeling or formula of a pesticide may be made within a registration period without requiring reregistration of the product. **Any change in company name, trade name, active ingredient, concentration of active ingredient, or environmental protection agency (EPA) registration number shall not be considered a minor change and shall require registration as a new product;**

(2) Any pesticide, unless it is in the registrant's or the manufacturer's unbroken immediate container or a bulk container sealed by the registrant, and there is affixed to such container, and to the outside container or wrapper of the retail package, if there be one, through which the required information on the immediate container cannot be clearly read, a label bearing:

(a) The name and address of the manufacturer, registrant, or person for whom manufactured;  
 (b) The name, brand, or trademark under which said article is sold; and  
 (c) The net weight or measure of the contents, subject, however, to such reasonable variations as the director may permit;

(3) Any pesticide which contains any substance or substances in quantities highly toxic to man unless the label shall bear, in addition to any other matter required by sections 281.210 to 281.310:

(a) The skull and crossbones;  
 (b) The word "poison" prominently, in red, on a background of distinctly contrasting color; and  
 (c) A statement of an antidote for the pesticide;  
 (4) Any pesticide which is adulterated or misbranded, or any device which is misbranded.

2. It shall be unlawful:

(1) For any person to detach, alter, deface, or destroy, in whole or in part, any label or labeling provided for in sections 281.210 to 281.310, or rules promulgated thereunder, or to add any substance to or take any substance from a pesticide in a manner that may defeat the purpose of sections 281.210 to 281.310;

(2) For any person to use for his own advantage or to reveal, other than to the director or proper officials or employees of this state, the courts of this state in response to a subpoena, physicians, or, in emergencies, pharmacists and other qualified persons for use in the preparation of antidotes, any information relative to formulas of products acquired by authority of section 281.260.

281.260. 1. Every pesticide which is distributed, sold, offered for sale or held for sale within this state, or which is delivered for transportation or transported in intrastate commerce or between points within this state through any point outside of this state, shall be registered in the office of the director, and the registration shall be renewed annually.

2. The registrant shall file with the director a statement including:

(1) The name and address of the registrant and the name and address of the person whose name will appear on the label, if other than the registrant;  
 (2) The name of the pesticide;  
 (3) Classification of the pesticide; and  
 (4) A complete copy of the labeling accompanying the pesticide and a statement of all claims to be made for it, including directions for use.

3. The registrant shall pay an annual fee of fifteen dollars for each product registered in any calendar year or part thereof. The fee shall be deposited in the state treasury to the credit of the general revenue fund. All such registrations shall expire on December thirty-first of any one year, unless sooner canceled. A registration for a special local need pursuant to subsection 6 of this section, which is disapproved by the federal government, shall expire on the effective date of the disapproval.

4. Any registration approved by the director and in effect on the thirty-first day of December for which a renewal application has been made and the proper fee paid shall continue in full force and effect until such time as the director notifies the applicant that the registration has been renewed, or otherwise denied, in accord with the provisions of subsection 8 of this section. Forms for reregistration shall be mailed to registrants at least ninety days prior to the expiration date.

5. If the renewal of a pesticide registration is not filed prior to January first of any one year, an additional fee of [five] **fifty** dollars shall be assessed and added to the original fee and shall be paid by the applicant before the registration renewal for that pesticide shall be issued; provided, that, such additional fee shall not apply if the applicant

furnishes an affidavit certifying that he **or she** did not distribute such unregistered pesticide during the period of nonregistration. The payment of such additional fee is not a bar to any prosecution for doing business without proper registry.

6. Provided the state complies with requirements of the federal government to register pesticides to meet special local needs, the director shall require that registrants comply with sections 281.210 to 281.310 and pertinent federal laws and regulations. Where two or more pesticides meet the requirements of this subsection, one shall not be registered in preference to the other.

7. The director may require the submission of the complete formula of any pesticide to approve or deny product registration. If it appears to the director that the composition and efficacy of the pesticide is such as to warrant the proposed claims for it and if the pesticide and its labeling and other material required to be submitted comply with the requirements of sections 281.210 to 281.310, [he] **the director** shall register the pesticide.

**8. The director, after opportunity for hearing, may deny, cancel, suspend, or revoke a pesticide registration if, after consideration to pertinent research findings and recommendations of other agencies of this state, the federal government or other reliable sources, the pesticide may cause damage or injury, or is considered dangerous or harmful to persons or the environment.**

9. Provided the state is authorized to issue experimental use permits, the director may:

(1) Issue an experimental use permit to any person applying for an experimental use permit if [he] **the director** determines that the applicant needs such permit in order to accumulate information necessary to register a pesticide [under] **pursuant to** sections [263.269 to 263.380] **281.210 to 281.310**. An application for an experimental use permit may be filed at the time of or before or after an application for registration is filed;

(2) Prescribe terms, conditions, and period of time for the experimental permit which shall be under the supervision of the director;

(3) Revoke any experimental permit, at any time, if [he] **the director** finds that its terms or conditions are being violated, or that its terms [and] **or** conditions are inadequate to avoid unreasonable adverse effects on the environment.

[9.] **10.** If it does not appear to the director that the pesticide is such as to warrant the proposed claims for it or if the pesticide and its labeling and other material required to be submitted do not comply with the provisions of sections 281.210 to 281.310 or with federal laws, [he] **the director** shall notify the registrant of the manner in which the pesticide, labeling, or other material required to be submitted fail to comply with sections 281.210 to 281.310 or with federal laws so as to afford the registrant an opportunity to make the necessary corrections. If, upon receipt of such notice, the registrant insists that such corrections are not necessary and requests in writing that the pesticide be registered or, in the case of a pesticide that is already registered, that it not be canceled, the director, within ninety days, shall hold a public hearing to determine if the pesticide in question should be registered or canceled. If, after such hearing, it is determined that the pesticide should not be registered or that its registration should be canceled, the director may refuse registration or cancel an existing registration until the required label changes are accomplished. If the pesticide is shown to be in compliance with sections 281.210 to 281.310 and federal laws, the pesticide will be registered. Any appeals resulting from administrative decisions by the director will be taken in accordance with sections 536.100 to 536.140, RSMo.

[10.] **11.** Notwithstanding any other provision of sections 281.210 to 281.310, registration is not required in the case of a pesticide shipped from one plant or warehouse within this state to another plant or warehouse within this state when such plants are operated by the same persons.

[11.] **12.** The director shall not make any lack of essentiality a criterion for denying registration of a pesticide except where none of the labeled uses are present in the state. Where two or more pesticides meet the requirements of sections 281.210 to 281.310, one shall not be registered in preference to the other.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1348, Page 31, Section 414.043, Line 23 of said page, by inserting after all of said line the following:

“578.405. 1. Sections 578.405 to 578.412 shall be known and may be cited as “The Animal Research and Production Facilities Protection Act”.

2. As used in sections 578.405 to 578.412, the following terms mean:

- (1) “Animal”, every living creature, domestic or wild, but not including *Homo sapiens*;
- (2) “Animal facility”, any facility, **animal farming operation, business or organization** engaging in legal scientific research or agricultural production or involving the use of animals, including any organization with a primary purpose of representing livestock production or processing, any organization with a primary purpose of promoting or marketing livestock or livestock products, any person licensed to practice veterinary medicine, any organization involved in the production of pet food or pet food research, and any organization with a primary purpose of representing any such person, organization, or institution. The term shall include the owner, operator, and employees of any animal facility [and], the offices [and], **barns, buildings, or other structures, the vehicles of any such persons while engaged in duties related to the animal facility, and any premises, private property, where animals are located, including but not limited to the barns or areas where the animals are pastured, housed, or otherwise quartered;**

(3) “Director”, the director of the department of agriculture.

578.407. No person shall:

- (1) Release, steal, or otherwise intentionally cause the death, injury, or loss of any animal at or from an animal facility and not authorized by that facility;
- (2) Damage, vandalize, or steal any property in or on an animal facility;
- (3) Obtain access to an animal facility by false pretenses for the purpose of performing acts not authorized by the facility;
- (4) Enter or otherwise interfere with an animal facility with the intent to destroy, alter, duplicate or obtain unauthorized possession of records, data, material, equipment, or animals;
- (5) Knowingly obtain, by theft or deception, control over records, data, material, equipment, or animals of any animal facility for the purpose of depriving the rightful owner or animal facility of the records, material, data, equipment, or animals, or for the purpose of concealing, abandoning, or destroying such records, material, data, equipment, or animals;
- (6) Enter or remain on an animal facility with the intent to commit an act prohibited by this section;
- (7) **Photograph, videotape, or otherwise obtain images from within a structure that an animal is housed without the express written consent of the animal facility;**
- (8) **Intentionally or knowingly release or introduce any pathogen or disease in or near an animal facility that has the potential to cause disease in any animal at the animal facility or which otherwise threatens human health or biosecurity at the animal facility.**

578.409. 1. Any person who violates section 578.407:

- (1) Shall be guilty of a misdemeanor for each such violation unless the loss, theft, or damage to the animal facility exceeds three hundred dollars in value;
- (2) Shall be guilty of a class D felony **for a violation of subdivision (7) of section 578.407** or if the loss, theft, or damage to the animal facility property exceeds three hundred dollars in value but does not exceed ten thousand dollars in value;
- (3) Shall be guilty of a class C felony if the loss, theft, or damage to the animal facility property exceeds ten thousand dollars in value but does not exceed one hundred thousand dollars in value;
- (4) Shall be guilty of a class B felony if the loss, theft, or damage to the animal facility exceeds one hundred thousand dollars in value.

2. Any person who intentionally agrees with another person to violate section 578.407 and commits an act in furtherance of such violation shall be guilty of the same class of violation as provided in subsection 1 of this section.

3. In the determination of the value of the loss, theft, or damage to an animal facility, the court shall conduct a hearing to determine the reasonable cost of replacement of materials, data, equipment, animals, and records that were damaged, destroyed, lost, or cannot be returned, as well as the reasonable cost of lost production funds and repeating experimentation that may have been disrupted or invalidated as a result of the violation of section 578.407.

4. Any persons found guilty of a violation of section 578.407 shall be ordered by the court to make restitution, jointly and severally, to the owner, operator, or both, of the animal facility, in the full amount of the reasonable cost as determined under subsection 3 of this section.

5. Any person who has been damaged by a violation of section 578.407 may recover all actual and consequential damages, punitive damages, and court costs, including reasonable attorneys' fees, from the person causing such damage.

6. Nothing in sections 578.405 to 578.412 shall preclude any animal facility injured in its business or property by a violation of section 578.407 from seeking appropriate relief under any other provision of law or remedy including the issuance of an injunction against any person who violates section 578.407 **including any relief authorized under subsection 5 of this section.** The owner or operator of the animal facility may petition the court to permanently enjoin

such persons from violating sections 578.405 to 578.412 and the court shall provide such relief.

578.412. 1. The director shall have the authority to investigate any alleged violation of sections 578.405 to 578.412, along with any other law enforcement agency, and may [take any action within the director's authority necessary for the enforcement of sections 578.405 to 578.412] **initiate civil legal action in the circuit court of the county where the violation occurred.** The attorney general, the highway patrol, and other law enforcement officials shall provide assistance required in the conduct of an investigation.

2. The director may promulgate rules and regulations necessary for the enforcement of sections 578.405 to 578.412. No rule or portion of a rule promulgated under the authority of sections 578.405 to 578.412 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1348, Page 28, Section 348.432, Line 10 of said page, by inserting after all of said line the following:

“407.592. Sections 407.585 to 407.592 shall apply to any new farm machinery sold after January 1, 1988, but no provision of sections 407.585 to 407.592 shall operate or be construed to invalidate, impair, or otherwise infringe upon the specific requirements of any contract between a dealer and a manufacturer entered into prior to September 28, 1987, and which is in effect on September 28, 1987; provided, however, that in any case wherein warranty repair work is performed for a consumer by a farm equipment dealer under the provisions of a manufacturer's express warranty, the manufacturer shall reimburse the dealer at an hourly labor rate that is the same or greater than the hourly labor rate the dealer currently charges consumers for nonwarranty repair work. **The dealer may accept the manufacturer's reimbursement terms and conditions in lieu of the above.**”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1773**, entitled:

An act to repeal sections 84.140 and 84.160, RSMo, and to enact in lieu thereof two new sections relating to the police force in certain cities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 1962**, entitled:

An act to repeal sections 43.530, 43.540, 50.333, 57.290, 67.133, 143.782, 287.780, 374.770, 473.750, 476.058, 476.270, 476.340, 476.385, 479.020, 482.330, 483.015, 483.083, 483.245, 488.005, 488.012, 488.015, 488.445, 488.2253, 488.2300, 488.4014, 488.5320, 491.300, 494.410, 494.415, 494.4720, 494.430, 506.060, 510.120, 511.510, 516.097, 517.111, 517.141, 550.130, 550.140, 550.180, 550.190, 550.230, 550.300, 565.030, 565.084, 577.051, 589.410, 595.045 and 644.036, RSMo, relating to the administration of courts and court procedures, and to enact in lieu thereof sixty-one new sections relating to the same subject, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 1 to Senate Amendment No. 6, Senate Amendment No. 6, as amended, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 16, Senate Amendment No. 17, Senate Amendment No. 18 and Senate Amendment No. 21

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 39, Section 488.2253 of said page, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 81, Section 6, Line 26, by inserting after all of said line the following:

**“Section 7. Bonds posted by a licensed bail bondsman shall be released at the time of sentence imposition.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 41, Section 488.4014, by striking all of said section; and

Further amend said bill, Page 43, Section 488.5320, by striking all of said section; and

Further amend said bill, Page 66, Section 595.045, by striking all of said section; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 56, Section 517.111, by striking all of said section; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1  
to  
Senate Amendment No. 6*

AMEND Senate Amendment No. 6 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 2 of amendment, Section 287.210, Line 8, by deleting said line and inserting in lieu thereof the following: **“administrative law judge against the head injury fund and become immediately”**.

*Senate Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 12, Section 143.782, Line 25, by inserting immediately after said line the following:

“287.210. 1. After an employee has received an injury he shall from time to time thereafter during disability submit to reasonable medical examination at the request of the employer, his insurer, the commission, the division or an administrative law judge, the time and place of which shall be fixed with due regard to the convenience of the employee and his physical condition and ability to attend. The employee may have his own physician present, and if the employee refuses to submit to the examination, or in any way obstructs it, his right to compensation shall be forfeited during such period unless in the opinion of the commission the circumstances justify the refusal or obstruction.

2. The commission, the division or administrative law judge shall, when deemed necessary, appoint a duly qualified impartial physician to examine the injured employee, and any physician so chosen, if he accepts the appointment, shall promptly make the examination requested and make a complete medical report to the commission or the division in such duplication as to provide all parties with copies thereof. **In the case of a claim against the second injury fund, the administrative law judge may appoint an impartial physician to examine at the request of the state upon a finding that there is no other adequate medical evidence available and necessary to the state upon the issues presented by the second injury claim.** The physician's fee shall be fair and reasonable, as provided in subsection 3 of section 287.140, and the fee and other reasonable costs of the impartial examination may be [paid as other costs under this chapter] **assessed by the administrative law judge against any party and become immediately payable.** If all the parties shall have had reasonable access thereto, the report of the physician shall be admissible in evidence.

3. The testimony of any physician who treated or examined the injured employee shall be admissible in evidence in any proceedings for compensation [under] **pursuant to** this chapter, but only if the medical report of the physician has been made available to all parties as in this section provided. Immediately upon receipt of notice from the division or the commission setting a date for hearing of a case in which the nature and extent of an employee's disability is to be determined, the parties or their attorneys shall arrange, without charge or costs, each to the other, for an exchange of all medical reports, including those made both by treating and examining physician or physicians, to the end that the parties may be commonly informed of all medical findings and opinions. The exchange of medical reports shall be made at least seven days before the date set for the hearing and failure of any party to comply may be grounds for asking for and receiving a continuance, upon proper showing by the party to whom the medical reports were not furnished. If any party fails or refuses to furnish the opposing party with the medical report of the treating or examining physician at least seven days before such physician's deposition or personal testimony at the hearing, as in this section provided, upon the objection of the party who was not provided with the medical report, the physician shall not be permitted to testify at that hearing or by medical deposition.

4. Upon request, an administrative law judge, the division, or the commission shall be provided with a copy of any medical report.

5. As used in this chapter the terms “physician's report” and “medical report” mean the report of any physician made on any printed form authorized by the division or the commission or any complete medical report. As used in this chapter the term “complete medical report” means the report of a physician giving the physician's qualifications and the patient's history, complaints, details of the findings of any and all laboratory, X-ray and all other technical examinations, diagnosis, prognosis, nature of disability, if any, and an estimate of the percentage of permanent partial disability, if any. An element or elements of a complete medical report may be met by the physician's records.

6. Upon the request of a party, the physician or physicians who treated or are treating the injured employee shall be required to furnish to the parties a rating and complete medical report on the injured employee, at the expense of the party selecting the physician, along with a complete copy of the physician's clinical record including copies of any records and reports received from other health care providers.

7. The testimony of a treating or examining physician may be submitted in evidence on the issues in controversy by a complete medical report and shall be admissible without other foundational evidence subject to compliance with the following procedures. The party intending to submit a complete medical report in evidence shall give notice at least sixty days prior to the hearing to all parties and shall provide reasonable opportunity to all parties to obtain cross-examination testimony of the physician by deposition. The notice shall include a copy of the report and all the clinical and treatment records of the physician including copies of all records and reports received by the physician from other health care providers. The party offering the report must make the physician available for cross-examination



testimony by deposition not later than seven days before the matter is set for hearing, and each cross-examiner shall compensate the physician for the portion of testimony obtained in an amount not to exceed a rate of reasonable compensation taking into consideration the specialty practiced by the physician. Cross-examination testimony shall not bind the cross-examining party. Any testimony obtained by the offering party shall be at that party's expense on a proportional basis, including the deposition fee of the physician. Upon request of any party, the party offering a complete medical report in evidence must also make available copies of X rays or other diagnostic studies obtained by or relied upon by the physician. Within ten days after receipt of such notice a party shall dispute whether a report meets the requirements of a complete medical report by providing written objections to the offering party stating the grounds for the dispute, and at the request of any party, the administrative law judge shall rule upon such objections upon pretrial hearing whether the report meets the requirements of a complete medical report and upon the admissibility of the report or portions thereof. If no objections are filed the report is admissible, and any objections thereto are deemed waived. Nothing herein shall prevent the parties from agreeing to admit medical reports or records by consent. [The provisions of this subsection shall not apply to claims against the second injury fund.]

8. Certified copies of the proceedings before any coroner holding an inquest over the body of any employee receiving an injury in the course of his employment resulting in death shall be admissible in evidence in any proceedings for compensation [under] **pursuant to** this chapter, and it shall be the duty of the coroner to give notice of the inquest to the employer and the dependents of the deceased employee, who shall have the right to cross-examine the witness.

9. The division or the commission may in its discretion in extraordinary cases order a postmortem examination and for that purpose may also order a body exhumed.”; and

Further amend the title by striking the words after “relating” and substitute in lieu thereof “**to judicial and administrative procedures and practices**”; and

Further amend the enacting clause accordingly.

*Senate Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 12, Section 50.333, Line 3, by inserting after all of said line the following:

“59.041. [1.] Notwithstanding the provisions of this chapter or chapter 478, RSMo, or any other provision of law in conflict with the provisions of this section, in any county which becomes a county of the second class after September 28, 1987, and wherein the offices of circuit clerk and recorder of deeds are combined, such combination shall continue until the governing body of the county authorizes the separation of the offices as provided in section 59.042.

[2. Notwithstanding the provisions of this chapter or chapter 478, RSMo, or any other provision of law in conflict with the provisions of this section, in any county of the third classification without a township form of government and having a population of more than twenty-seven thousand six hundred but less than twenty-eight thousand six hundred and wherein the offices of the district I circuit clerk and recorder of deeds are combined, the circuit court shall appoint such circuit clerk ex officio recorder of deeds. The circuit court may recommend to the governing body of such county whether the combined offices of the district I circuit clerk and recorder of deeds should be separated pursuant to subsection 1 of section 59.042; provided however, that if the governing body of such county authorizes the separation of offices and notwithstanding the provisions of subsection 2 of section 59.042, the office of district I clerk of the circuit court shall remain appointed by the circuit court.]”.

*Senate Amendment No. 9*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Pages 22-24, Section 477.650, by deleting all of said section; and

Further amend said bill, Pages 37-38, Section 488.031, by deleting said section; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 12*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 76, Section 644.036, Lines 22-26, by striking all of said lines and inserting in lieu thereof the following:

**“5. Any listing required by Section 303(d) the Federal Clean Water Act to be made to EPA for their approval that will result in waters of this state to be classified as impaired shall be adopted by rule pursuant to chapter 536, RSMo. Total maximum daily loads shall not be required for any listed water which subsequently are determined to meet water quality standards.”.**

*Senate Amendment No. 13*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 5, Section 43.540, Line 7, by inserting after all of said line the following:

**“49.272. 1. The county commission of any county of the first classification without a charter form of government and with more than one hundred thirty-five thousand four hundred but less than one hundred thirty-five thousand five hundred inhabitants which has an appointed county counselor and which adopts or has adopted rules, regulations or ordinances under authority of a statute which prescribes or authorizes a violation of such rules, regulations or ordinances to be a misdemeanor punishable as provided by law, may by rule, regulation or ordinance impose a civil fine not to exceed one thousand dollars for each violation. Any fines imposed and collected under such rules, regulations or ordinances shall be payable to the county general fund to be used to pay for the cost of enforcement of such rules, regulations or ordinances.”; and**

Further amend said bill, Page 11, Section 50.333, Line 29, by inserting after all of said line the following:

**“56.640. 1. If a county counselor is appointed, he and his assistants under his direction shall represent the county and all departments, officers, institutions and agencies thereof, except as otherwise provided by law and shall upon request of any county department, officer, institution or agency for which legal counsel is otherwise provided by law, and upon the approval of the county commission, represent such department, officer, institution or agency. He shall commence, prosecute or defend, as the case may require, and exercise exclusive authority in all civil suits or actions in which the county or any county officer, commission or agency is a party, in his or its official capacity, he shall draw all contracts relating to the business of the county, he shall represent the county generally in all matters of civil law, and he shall upon request furnish written opinions to any county officer or department.**

**2. In all cases in which a civil fine may be imposed pursuant to section 49.272, RSMo, it shall be the duty of the county counselor, rather than the county prosecuting attorney, to prosecute such violations in the associate division of the circuit court in the county where the violation occurred.**

**3. Notwithstanding any law to the contrary, the county counselor in any county of the first classification and the prosecuting attorney of such county may by mutual cooperation agreement prosecute or defend any civil action which the prosecuting attorney or county counselor of the county is authorized or required by law to prosecute or defend.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 14*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 39, Section 488.445, Line 10, by inserting after all of said line the following:

**“488.2250. 1. For all transcripts of testimony given or proceedings had in any circuit court, the court reporter shall receive the sum of [one dollar and fifty cents] **two dollars and twenty-five cents** per twenty-five line page for the original of the transcript, and the sum of [thirty-five] **fifty** cents per twenty-five line page for each [carbon] copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of**

approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his **or her** discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter's fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three transcripts in duplication of the notes of the evidence, for [the original of] which he **or she** shall receive [one dollar and fifty cents] **two dollars and twenty-five cents** per [legal] **twenty-five line** page and for [the] **additional** copies [twenty] **fifty** cents per page. The payment of court reporter's fees provided in this section shall be made by the state upon a voucher approved by the court.

**2. Beginning January 1, 2004, the amounts a court reporter shall receive for transcripts described in subsection 1 of this section shall be increased or decreased on an annual basis, effective January first of each year, in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The current value of the limitation shall be calculated by the director of the department of insurance, who shall furnish that value to the secretary of state, who shall publish such value in the Missouri Register each year, as soon after the first day of January as practical, but shall be otherwise exempt from the provisions of section 536.021, RSMo.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 15*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 62, Section 565.030, Line 21, by deleting the word “nine” and insert in lieu thereof the words **“at least nine but less than twelve”**; and

Further amend said line and Lines 21 and 22, by deleting the words “are unable to decide or”; and

Further amend said bill on Page 62, Section 565.030, Line 25, by deleting the brackets around the words “or death” and inserting after said words the following:

**“, but if less than nine of the twelve jurors agree upon setting the punishment at death, the court shall assess and declare the punishment at life imprisonment without eligibility for probation, parole, or release by act of the governor”.**

*Senate Amendment No. 16*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 22, Section 476.385, Line 21, by inserting after the end of said line the following:

**“476.689. Any person appointed to serve as a judge pursuant to the provisions of sections 476.515 to 476.565, with a vested right to receive retirement benefits pursuant to chapter 104, RSMo, may elect to transfer and receive credit for all previous creditable service pursuant to chapter 104, RSMo. Any person electing to transfer such creditable service as a judge shall elect in writing and waive all right to any other retirement benefit provided for pursuant to chapter 104, RSMo.”; and**

In addition thereto, by modifying the title, enacting clause and intersectional references accordingly.

*Senate Amendment No. 17*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 74, Section 595.045, Line 21 of said page, by inserting immediately after said line the following:

“610.106. [Any person as to whom imposition of sentence was suspended prior to September 28, 1981, may make a motion to the court in which the action was prosecuted after his discharge from the court's jurisdiction for closure of official records pertaining to the case. If the prosecuting authority opposes the motion, an informal hearing shall be held in which technical rules of evidence shall not apply. Having regard to the nature and circumstances of the offense and the history and character of the defendant and upon a finding that the ends of justice are so served, the court may order official records pertaining to the case to be closed, except as provided in section 610.120.] **1. In the event a person is charged with a criminal offense and subsequently enters a guilty plea or is found guilty and imposition of sentence is suspended in the case for a period of time while the person is on court-ordered probation:**

(1) The official records of the case shall remain open until such time as the court-ordered probation is successfully completed;

(2) Upon successful completion of the court-ordered probation, the records of the case shall be sealed and closed for all purposes, notwithstanding any provision of the law or court order to the contrary; and

(3) Upon successful completion of the court-ordered probation, the person shall not thereafter be impeached by his or her arrest, charges, conviction or guilty plea in the case, except that a guilty plea entered in an alcohol-related case may be pled for the purpose of the enhancement of the sanction in accordance with the statutes provided.

2. Records required to be sealed and closed pursuant to this section shall be inaccessible to all persons other than the defendant, notwithstanding any provision of law to the contrary.

3. Nothing in this section shall be construed, interpreted or applied to deny or abridge any person's constitutional or statutory protection against double jeopardy.

4. The provisions of subsections 1, 2 and 3 of this section shall apply to all cases terminating prior to, on, or after the effective date of this section, except no case which terminated before the effective date of this section shall be re-opened because of any provision of this section.

610.110. No person as to whom such records have become **sealed or** closed [records] pursuant to section **610.105 or 610.106** shall thereafter, under any provision of law, be held to be guilty of perjury or otherwise of giving a false statement by reason of his **or her** failure to recite [or], acknowledge [such arrest or trial], **admit or confess any aspect of any such arrest or any such case** in response to any inquiry made of him **or her** for any purpose[, except as provided in section 491.050, RSMo, and section 610.120].”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 18*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 2, Section A, Line 10, by inserting after all of said line the following:

**"1.302. The compelling state interest test shall be imposed on all state and local laws and ordinances in all cases in which free exercise and enjoyment of religious belief or practice is substantially burdened.**

**1.305. 1. A governmental authority may not restrict a person's free exercise of religion, unless:**

(1) The restriction is in the form of a rule of general applicability, and does not discriminate against religion, or among religions; and

(2) The governmental authority demonstrates that application of the restriction to the person is essential to further a compelling governmental interest, and is the least restrictive means of furthering that compelling governmental interest.

2. "Exercise of religion" shall be defined as an act or refusal to act that is substantially motivated by religious belief, whether or not the religious exercise is compulsory or central to a larger system of religious belief.

3. "Demonstrates" means meets the burden of going forward with the evidence and of persuasion.

1.307. 1. Sections 1.302 to 1.307 apply to all state and local laws, resolutions and ordinances and the implementation of such laws, resolutions and ordinances, whether statutory or otherwise, and whether adopted before or after the effective date of sections 1.302 to 1.307.

**2. Nothing in sections 1.302 to 1.307 shall be construed to authorize any government to burden any religious belief, except that nothing in these sections shall be construed to establish or eliminate a defense to a civil action or criminal prosecution based on a federal, state or local civil rights law.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 21*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1962, Page 27, Section 483.015, Line 13, by deleting the opening bracket and inserting after the word “and” the following: “;”; and

Further amend Line 14, by deleting the closing bracket and inserting after the word “Louis” the following: “, **subject to subsection 3**”; and

Further amend Page 28, Line 5, by inserting after “subsection.” the following:

**“This subsection shall take effect only in the event that the constitutional amendment on the November 2002 ballot, giving “home rule” to the city of St. Louis, shall not pass, and further that the issue of whether the circuit clerk shall be appointed shall then be placed on the ballot at the general election in November 2004. The issue shall be submitted to the voters as follows:**

**‘Shall the circuit clerk of the city of St. Louis be appointed by the majority of the circuit judges of the circuit court for the city of St. Louis?’**

**If a majority of the qualified voters of the city vote “yes”, then the office of circuit clerk for the city of St. Louis shall be appointed by a majority of the circuit judges of the twenty-second judicial circuit in accordance with the provisions of this subsection. If a majority of the qualified voters of the city vote “no” then the circuit clerk for the city of St. Louis shall be elected in accordance with the provisions of this section.”.**

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HS HCS SB 895, as amended**: Senators Yeckel, Childers, Foster, Schneider and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SCS SBs 915, 710 & 907, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

**BILL CARRYING REQUEST MESSAGE**

**HS SCS SBs 915, 710 & 907, as amended**, relating to transportation funding, was taken up by Representative Koller.

Representative Koller moved that the House refuse to recede from its position on **HS SCS SBs 915, 710 & 907, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HS SCS SBs 915, 710 & 907:** Representatives Koller, Green (73), Berkowitz, Ostmann and Crawford

### **HOUSE BILL WITH SENATE AMENDMENTS**

**SS SCS HS HCS HB 1962, as amended**, relating to court procedures, was taken up by Representative Monaco.

Representative Monaco moved that the House refuse to adopt **SS SCS HS HCS HB 1962, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### **THIRD READING OF SENATE BILL**

**HCS SB 989, as amended**, relating to property tax, was again taken up by Representative Hartzler.

Representative Hartzler moved that **HCS SB 989, as amended**, be adopted.

Representative Berkstresser moved that **HCS SB 989, as amended**, be referred to the Committee on Fiscal Review and Government Reform.

Which motion was adopted.

### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolutions were referred to the Committee indicated:

**SCR 57** - Miscellaneous Bills & Resolutions

**SCR 64** - Miscellaneous Bills & Resolutions

**SCR 69** - Miscellaneous Bills & Resolutions

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**HCS SS SB 665** - Fiscal Review and Government Reform (Fiscal Note)

**HCS SS SCS SBs 923, 828, 876, 694 & 736** - Fiscal Review and Government Reform  
(Fiscal Note)

## COMMITTEE REPORTS

**Committee on Labor**, Chairman George reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **SCR 41**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

### HOUSE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 41

WHEREAS, the State of Missouri is currently facing unique rural and urban primary care workforce issues, including a significant imbalance between the primary care and specialty care workforce in our urban areas and a shortage of traditional primary health care workforce in our state's rural areas; and

WHEREAS, there exists a need for a study on access for Missourians to the health care provider market in the state and the recommendation of specific legislative or enforcement initiatives to insure ample choice for Missouri citizens and to insure affordable health care in the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Interim Committee on Primary Care Workplace Adequacy in Missouri; and

BE IT FURTHER RESOLVED that such Committee shall examine the rural and urban primary care workforce issues facing the State of Missouri, including those involving trauma and critical care services, examine the imbalance between primary care and specialty care in the urban areas and its effect on the cost and access to health care, examine the issue of primary care shortage in the rural areas and its effect on the cost and access to health care in the rural areas, examine current Department of Health and Senior Services programs which support primary care training and make recommendations for its modification and enhancement as needed; and

BE IT FURTHER RESOLVED that said Committee shall be composed of five members of the Senate, to be appointed by the President Pro Tem of the Senate, and five members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that said committee prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly prior to the commencement of the First Regular Session of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that Senate Research, the Committee on Legislative Research, and House Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof shall be paid from the Joint Contingent Fund.

**Committee on Professional Registration and Licensing**, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 896**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Ways and Means**, Chairman Hilgemann reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 1203**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1988**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 758**, and has taken up and passed **CCS HCS SB 758**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HJR 47**, entitled:

Submitting to the qualified voters of Missouri, an amendment repealing section 27 of article VI of the Constitution of Missouri relating to political subdivision revenue bonds for utility, industrial and airport purposes, and adopting one new section in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1402, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SS SCS SBs 970, 968, 921, 867, 868 & 738, as amended**: Senators Westfall, Russell, Klindt, Staples and Goode.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1041**, entitled:

An act to repeal sections 67.1360, 92.327, 92.336, 94.875 and 620.467, RSMo, relating to tourism, and to enact in lieu thereof twelve new sections relating to the same subject.



With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1041, Page 4, Section 67.1360, Line 26, by striking the word “or” as it appears at the end of said line; and

Further amend said bill and section, Page 5, Line 4, by inserting after “inhabitants;” the following:

“or

**(23) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;”.**

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1041, Page 5, Section 67.1360, Line 21, by inserting immediately after said line the following:

**“67.1800. As used in sections 67.1800 to 67.1822, the following terms mean:**

**(1) “Airport authority”, an entity established by city ordinance regarding governance of the airport with representatives appointed by the chief executives of the city, county, and other approximate counties within the region;**

**(2) “Airport”, Lambert-St. Louis International Airport and any other airport located within the district and designated by a chief executive;**

**(3) “Airport taxicab”, a taxicab which picks up passengers for hire at the airport, transports them to places they designate by no regular specific route, and the charge is made on the basis of distance traveled as indicated by the taximeter;**

**(4) “Chief executive”, the mayor of the city and the county executive of the county;**

**(5) “City”, a city not within a county;**

**(6) “Commission”, the regional taxicab commission created in section 67.1804;**

**(7) “County”, a county with a charter form of government and with more than one million inhabitants;**

**(8) “District”, the geographical area encompassed by the regional taxicab commission;**

**(9) “Driver”, an individual operator of a motor vehicle and may be an employee or independent contractor;**

**(10) “Hotel and restaurant industry”, the group of enterprises actively engaged in the business of operating lodging and dining facilities for transient guests;**

**(11) “Municipality”, a city, town, or village which has been incorporated in accordance with the laws of the state of Missouri;**

**(12) “On-call/reserve taxicab”, any motor vehicle or nonmotorized carriage engaged in the business of carrying persons for hire on the streets of the district, whether the same is hailed on the streets by a passenger or is operated from a street stand, from a garage on a regular route, or between fixed termini on a schedule, and where no regular or specific route is traveled, passengers are taken to and from such places as they designate, and the charge is made on the basis of distance traveled as indicated by a taximeter;**

**(13) “Premium sedan”, any motor vehicle engaged in the business of carrying persons for hire on the streets of the district which seats a total of five or less passengers in addition to a driver and which carries in each vehicle a manifest or trip ticket containing the name and pickup address of the passenger or passengers who have arranged for the use of the vehicle, and the charge is a prearranged fixed contract price quoted for transportation between termini selected by the passenger;**

**(14) “Taxicab”, airport taxicabs, on-call/reserve taxicabs and premium sedans referred to collectively as taxicabs;**

(15) “Taxicab company”, the use of one or more taxicabs operated as a business carrying persons for hire;

(16) “Taximeter”, a meter instrument or device attached to an on-call taxicab or airport taxicab which measures mechanically or electronically the distance driven and the waiting time upon which the fare is based.

67.1802. There is hereby established a “Regional Taxicab District”, with boundaries which shall encompass any city not within a county and any county with a charter form of government and with more than one million inhabitants, including all incorporated municipalities located within such county.

67.1804. For the regional taxicab district, there is hereby established a “Regional Taxicab Commission”, which shall be a body politic and corporate vested with all the powers expressly granted to it herein and created for the public purposes of recognizing taxicab service as a public transportation system, improving the quality of the system, and exercising primary authority over the provision of licensing, control and regulations of taxicab services within the district.

67.1806. 1. The regional taxicab commission shall consist of a chairperson plus eight members, four of whom shall be appointed by the chief executive of the city with approval of the board of aldermen, and four of whom shall be appointed by the chief executive of the county with approval of the governing body of the county. Of the eight members first appointed, one city appointee and one county appointee shall be appointed to a four-year term, two city appointees and two county appointees shall be appointed to a three-year term, and one city appointee and one county appointee shall be appointed to a one-year term. Members appointed after the expiration of these initial terms shall serve a four-year term. The chief executive officer of the city and the chief executive officer of the county shall alternately appoint a chairperson who shall serve a term of three years. The respective chief executive who appoints the members of the commission shall appoint members to fill unexpired terms resulting from any vacancy of a person appointed by that chief executive. All members and the chairperson must reside within the district while serving as a member. All members shall serve without compensation. Nothing shall prohibit a representative of the taxicab industry from being chairperson.

2. In making the eight appointments set forth in subsection 1 of this section, the chief executive officer of the city and the chief executive officer of the county shall collectively select four representatives of the taxicab industry. Such four representatives of the taxicab industry shall include at least one from each of the following:

(1) An owner or designated assignee of a taxicab company which holds at least one but no more than one hundred taxicab licenses;

(2) An owner or designated assignee of a taxicab company which holds at least one hundred one taxicab licenses or more;

(3) A taxicab driver, excluding any employee or independent contractor of a company currently represented on the commission.

The remaining five commission members shall be designated “at large” and shall not be a representative of the taxicab industry or be the spouse of any such person nor be an individual who has a direct material or financial interest in such industry. If any representative of the taxicab industry resigns or is otherwise unable to serve out the term for which such representative was appointed, a similarly situated representative of the taxicab industry shall be appointed to complete the specified term.

67.1808. The regional taxicab commission is empowered to:

(1) Develop and implement plans, policies, and programs to improve the quality of taxicab service within the district;

(2) Cooperate and collaborate with the hotel and restaurant industry to:

(a) Restrict the activities of those doormen employed by hotels and restaurants who accept payment from taxicab drivers or taxicab companies in exchange for the doormen's assistance in obtaining passengers for such taxicab drivers and companies; and

(b) Obtain the adherence of hotel shuttle vehicles to the requirement that they operate solely on scheduled trips between fixed termini and shall have authority to create guidelines for hotel and commercial shuttles;

(3) Cooperate and collaborate with other governmental entities, including the government of the United States, this state, and political subdivisions of this and other states;

(4) Cooperate and collaborate with governmental entities whose boundaries adjoin those of the district to assure that any taxicab or taxicab company neither licensed by the commission nor officed within its boundaries shall nonetheless be subject to those aspects of the taxicab code applicable to taxicabs operating within the district's boundaries;

(5) Contract with any public or private agency, individual, partnership, association, corporation or other

entity, consistent with law, for the provision of services necessary to improve the quality of taxicab service within the district;

(6) Accept grants and donations from public or private entities for the purpose of improving the quality of taxicab service within the district;

(7) Execute contracts, sue, and be sued;

(8) Adopt a taxicab code to license and regulate taxicab companies and individual taxicabs within the district consistent with existing ordinances, and to provide for the enforcement of such code for the purpose of improving the quality of taxicab service within the district;

(9) Collect reasonable fees in an amount sufficient to fund the commission's licensing, regulatory, inspection, and enforcement functions; except that, for the first year after the regional taxicab commission's taxicab code becomes effective, any increase in fees shall not exceed twenty percent of the total fees collected and for subsequent years, the fees may be adjusted annually based on the rate of inflation according to the Consumer Price Index; and

(10) Establish accounts with appropriate banking institutions, borrow money, buy, sell, or lease property for the necessary functions of the commission.

67.1810. 1. To implement internally the powers which it has been granted, the commission shall:

(1) Elect its own vice chair, secretary, and such other officers as it deems necessary, make such rules as are necessary and consistent with the commission's powers;

(2) Provide for the expenditure of funds necessary for the proper administration of the commission's assigned duties;

(3) Convene monthly meetings of the entire commission or more often if deemed necessary by the commission members;

(4) Make decisions by affirmative vote of the majority of the commission; provided that each of the commissioners, including the chairperson, shall be entitled to one vote on each matter presented for vote and provided further that at least two city appointees and two county appointees, excluding the chairperson, must be included in each majority vote of the commission.

2. The commission shall not exceed or expend moneys in excess of any fees collected and any moneys provided to the commission pursuant to section 67.1820.

67.1812. Following the appointment of the commissioners, the regional taxicab commission shall meet for the purpose of establishing and adopting a district-wide taxicab code. In promulgating the taxicab code, the commission shall seek, to the extent reasonably practical, to preserve within the code provisions similar to those contained in chapter 8.98 of the city's municipal ordinance and chapter 806 of the county ordinances, both relating to taxicab issues such as licensing, regulation, inspection, and enforcement while avoiding unnecessary overlaps or inconsistencies between the ordinances. The commission shall present a draft of its district-wide taxicab code at public hearings, one of which will be held in the city and another in the county, following prior public notice of same. Notice of the public hearing shall be given by publication at least twice, the first publication to be not more than thirty days and the second publication to be not more than ten days prior to each hearing in a newspaper of general circulation in the city and county. The commission shall adopt its taxicab code no later than one hundred eighty days after the appointment of the initial commission members. The commission shall have the power to amend the taxicab code from time to time following the initial adoption without the requirement of public notice or hearings.

67.1814. The commission shall further seek the input of the city, county, and airport authority generally regarding the taxicab code and, in particularly with reference to airport taxicabs, shall seek to ensure:

(1) Continuous, smooth airport service during any transition period from the current city and county operation to the new regional taxicab commission;

(2) The need of the airport authority to provide services at the airport's passenger terminals; and

(3) Airport authority involvement as to the servicing of the airport by airport taxicabs.

The commission shall not regulate the airport or airport taxicabs as to cab parking, circulation, cab stands, or passenger loading at the airport, or the payment by airport taxicabs for use of the airport or its facilities.

67.1816. The city and county's ordinances relating to taxicabs shall remain in full force and effect and be enforced as such by the city and county until one hundred twenty days after the regional taxicab commission adopts its taxicab code, at which time such city and county ordinances shall be deemed to be rescinded as well as ordinances adopted by municipalities within the county. Upon the effective date of the taxicab code:

(1) All licensing, regulations, inspections, inspections of taxicabs, and enforcement of the taxicab code

shall rest exclusively with the regional taxicab commission;

(2) All taxicabs subject to the taxicab code shall be required to comply fully with the taxicab code, notwithstanding any previously issued licenses or certificates of convenience;

(3) All permits valid and effective as of August 28, 2002, shall remain valid and effective until the date of expiration or renewal of such permit; and

(4) All available taxicab licensing, inspection, and related fees previously collected and remaining unspent by other jurisdictions shall be immediately paid over the regional taxicab commission for its future use in administering the taxicab code.

The provisions of this section notwithstanding, existing municipal regulations relating to taxicab curb locations and curb fees as well as local business licenses which do not seek to regulate taxicab use shall not be preempted by the taxicab code except by agreement between the commission and applicable municipality.

67.1818. The commission shall establish as part of the taxicab code its own internal, administrative procedure for decisions involving the granting, denying, suspending, or revoking of licenses. The commission shall study and take into account rate and fee structures as well as the number of existing taxicab licenses within the district in considering new applications for such licenses. The internal procedures set forth in the taxicab code shall allow appeals from license-related decisions to be conducted by independent hearing officers.

67.1820. The regional taxicab commission shall initially establish, subject to public hearings thereon, an annual fee-generated budget required for the effective implementation and enforcement of the taxicab code, taking into account staffing requirements and related expenses as well as all revenue sources, including collection of fees previously paid to and unspent by other enforcing jurisdictions and future fees projected to be collected by the commission. Recognizing the elimination of duties and costs associated with the regulatory and enforcement functions of taxicab administration previously borne by the city and county and being assumed by the commission, the city and county shall have the authority to appropriate additional budgetary funding for the commission's needs.

67.1822. 1. Before the second Monday in April of each year, the regional taxicab commission shall make an annual report to the chief executive officers and to the governing bodies of the city and county stating the conditions of the commission as of the first day of January of that year, and the sums of money received and distributed by it during the preceding calendar year.

2. Before the close of the regional taxicab commission's first fiscal year and at the close of each fiscal year thereafter, the chief executives of the city and the county shall appoint one or more certified public accountants who shall annually examine the books, papers, documents, accounts, and vouchers of the commission, and who shall report thereon to the chief executives of the city and the county and to the regional taxicab commission. The commission shall produce and submit for examination all books, papers, documents, accounts, and vouchers, and shall in every way assist such certified public accountants in the performance of their duties pursuant to this section.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1041, Page 8, Section 94.875, Line 15, by inserting after all of said line the following:

“311.481. 1. Notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter, and who now or hereafter meets the requirements of and complies with the provisions of this chapter, may apply for, and the supervisor of liquor control may issue, a license to sell intoxicating liquor, as defined in this chapter, by the drink between the hours of 11:00 a.m. on Sunday and midnight on Sunday at retail for consumption on the premises of any airline club as described in the application. As used in this section, the term “airline club” shall mean an establishment located within an international airport and owned, leased, or operated by or on behalf of an airline, as a membership club and special services facility for passengers of such airline.

2. The authority for the collection of fees by cities and counties as provided in section 311.220, and all other laws and regulations of the state relating to the sale of liquor by the drink for consumption on the premises

where sold, shall apply to each airline club in the same manner as they apply to establishments licensed pursuant to sections 311.085, 311.090 and 311.095, and in addition to all other fees required by law, a person licensed pursuant to this section shall pay an additional fee of two hundred dollars a year payable at the same time and in the same manner as its other fees; except that the requirements other than fees pertaining to the sale of liquor by the drink on Sunday shall not apply.”; and

Further amend said bill, Page 15, Section 620.467, Line 14, by inserting after all of said line the following:

“Section B. Because immediate action is necessary to clarify the law relating to Sunday liquor sales in airline clubs, the enactment of section 311.481 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 311.481 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1041, Page 8, Section 94.875, Line 15 of said page, by inserting after all of said line the following:

“407.610. 1. Any person who intends to use any promotional device or promotional program, including any sweepstakes, gift award, drawing or display booth, or any other such award or prize inducement items, to advertise, solicit sales or sell any time-share period, time-share plan, or time-share property in the state of Missouri **or sell any tourist-related services as defined pursuant to subsection 8 of this section where a consumer is required to provide any consideration other than monetary for such tourist-related services**, shall notify the Missouri attorney general in writing of this intention not less than fourteen days prior to release of such materials to the public. Included with such notice shall be an exact copy of each promotional device and promotional program to be used. Each promotional device, promotional program, and the notice thereof shall include the following information:

(1) A statement that the promotional device or promotional program is being used for the purpose of soliciting sales of a time-share period, time-share plan or time-share property;

(2) The date by which all such awards or other prize inducement items will be awarded;

(3) The method by which all such items will be awarded;

(4) The odds of being awarded such items;

(5) The manufacturer's suggested retail price of such items; and

(6) The names and addresses of each time-share plan or business entity participating in the promotional device or promotional program.

2. Any material change in a promotional device or promotional program previously submitted to the attorney general shall constitute a new promotional device or promotional program and shall be resubmitted to the attorney general with the notice thereof.

3. It shall be a violation of section 407.020 for any person to:

(1) Fail to comply with the provisions of the notice requirements of this section;

(2) Provide to the attorney general in the notice required by this section any information that is false or misleading in a material manner;

(3) Represent to any person that the filing of the notice of the promotional device or the promotional program constitute an endorsement or approval of the promotional device or promotional program by the attorney general;

(4) Engage in any act or practice declared to be unlawful by section 407.020 in connection with the use of any promotional device or promotional program or any advertisement, or sale of time-share plans, time-share periods or time-share property.

4. At least one of each prize featured in a promotional program shall be awarded by the day and year specified in the promotion. When a promotion promises the award of a certain number of each prize, such number of prizes shall be awarded by the date and year specified in the promotion. A record shall be maintained containing the names and addresses of winners of the prizes and the record shall be made available, upon request, to the public, upon the payment of reasonable reproduction costs. If a seller for any reason does not provide, at the time of a site visitation or visitation to a time-share sales office, the inducement gift which was promised, the seller shall deliver the gift, or an acceptable

substitute therefor agreed upon in writing, to the prospective purchaser or purchaser no later than ten days following such visitation, or shall deliver instead of such gift cash in an amount equal to the retail value of the gift.

5. If a prospective purchaser or purchaser does not receive the gift or the cash as provided in subsection 4 of this section, he may bring an action under the provisions of section 407.025. For purposes of actions brought pursuant to this section, the term “actual damages”, as used in section 407.025, shall mean at least five times the cash retail value of the most expensive gift offered, but shall not exceed one thousand dollars, in addition to such other actual damages as may be determined by the evidence.

6. The provisions of sections 407.600 to 407.630 shall not apply to a person who has acquired a time-share period for his own occupancy and later offers it for resale.

7. If the sale of a time-share plan or of time-share property is subject to the provisions of sections 407.600 to 407.630, such sale shall not be subject to the provisions of chapter 339, RSMo.

**8. For the purposes of this section, the term “Tourist-related services” includes but is not limited to, selling or entering into contracts or other arrangements under which a purchaser receives a premium, coupon or contract for car rentals, lodging, transfers, entertainment, sightseeing or any service reasonably related to air, sea, rail, motor coach or other medium of transportation directly to the consumer.”; and**

Further amend said bill, Page 8, Section 407.1375, Lines 16-23 of said page, by striking said section from the bill; and

Further amend said bill, Pages 8-9, Section 407.1378, by striking said section from the bill; and

Further amend said bill, Pages 9-10, Section 407.1381, by striking said section from the bill; and

Further amend said bill, Page 10, Section 407.1384, Lines 7-20 of said page, by striking said section from the bill; and

Further amend said bill, Pages 10-11, Section 407.1387, by striking said section from the bill; and

Further amend said bill, Pages 11-12, Section 407.1390, by striking said section from the bill; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1270 & HB 2032**, entitled:

An act to repeal sections 61.021, 300.075, 300.080, 300.100, 300.105, 300.110, 300.125, 300.160, 300.215, 300.300, 300.348, 300.350, 300.585, 300.595, 302.130, 302.137, 302.321, 302.720, 304.001, 304.022, 304.027, 304.200, 575.010 and 575.150, RSMo, relating to motor vehicles, and to enact in lieu thereof thirty-three new sections relating to the same subject, with penalty provisions and an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 5

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, Page 37, Section 575.150, Line 19, by inserting immediately after “felony” the following: “**. Resisting an arrest by fleeing in such a manner that the person fleeing creates a substantial risk of serious physical injury or death to any person is a class D felony**”.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1270 & House Bill No. 2032, Page 17, Section 302.321, Line 4 of said page, by inserting after the word “writing” the following: “, **and where the prior three driving while revoked offenses occurred within ten years of the date of occurrence of the present offense and where the person received and served a sentence of ten days or more on such previous offenses;**”; and further amend line 9 of said page, by inserting after the word “writing” the following: “, **and where the prior two driving while revoked offenses occurred within ten years of the date of occurrence of the present offense and where the person received and served a sentence of ten days or more on such previous offenses**”.

*Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1270 & House Bill No. 2032, Page 19, Section 302.720, Line 7 of said page, by striking the word “director” and inserting in lieu thereof the following: “**superintendent**”; and

Further amend said section, Line 8 of said page, by striking the words “five-dollar” and inserting in lieu thereof the following: “**twenty-five dollar**”; and

Further amend said section, Page 20, Line 9 of said page, by striking “five-dollar” and inserting in lieu thereof the following: “**twenty-five dollar**”; and

Further amend said line by striking the words “for each test taken” and inserting in lieu thereof “**upon completion of such tests**”; and

Further amend said page, Line 10, by striking the following: “The director may waive the driving test for a commercial”; and

Further amend said page, Lines 11-29, by striking all of said lines; and

Further amend said bill and section, Page 21, Lines 1-13 of said page, by striking all of said lines; and

Further amend Line 14 of said page, by striking the following: “6.”; and

Further amend said bill and section, Page 21, Line 22 of said page, by inserting immediately after said line the following:

**“302.721. 1. There is hereby created in the state treasury the “Commercial Driver License Examination Fund”. The fund shall be administered by the department of revenue. Such moneys collected pursuant to subdivisions (1) and (3) of subsection 2 of section 302.720, shall be appropriated to the commercial driver license examination fund after the deposit and distribution pursuant to subsection 2 of section 30(b) of article IV of the Missouri Constitution. Such moneys shall not be counted towards the spending limitations imposed pursuant to subsection 3 of section 226.200, RSMo. Any unexpended balance in the fund at the end of the fiscal year shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund.**

**2. There shall be created a “Third-Party Commercial Driver License Examination Program” within the department of revenue. The purpose of this program is to certify third-party commercial driver license examination programs and administer compliance requirements of third-party commercial driver license examination programs in the state of Missouri.**

**3. The director of revenue may annually expend revenues from the commercial driver license fund for administrative costs associated with initial certification and subsequent renewal certification requirements associated with third-party commercial driver license examination programs and determining compliance of all regulations which are required to be adhered to by third-party commercial driver license examination programs in the state of Missouri. Such annual expenditures shall also include any expenses incurred by the**

superintendent of the highway patrol for functions related to the testing, auditing, retesting and compliance of commercial driver license third-party examination programs and the administration of the state CDL testing program.

(1) The director of revenue shall promulgate rules and regulations necessary to administer the certification and compliance programs established pursuant to this section. Any rule promulgated regarding commercial driver license third-party examination certification or compliance shall be promulgated in coordination with the superintendent of the highway patrol.

(2) Any rule promulgated by the director of revenue and the superintendent of the highway patrol regarding compliance requirements for third-party commercial driver license examination programs shall require the superintendent to reexamine a minimum of ten percent of those drivers who have passed the CDL skills examination administered by a certified third-party commercial driver license examination program in the state of Missouri.

4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 722** and has taken up and passed **HS HCS SCS SB 722**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 1748**, entitled:

An act to repeal sections 247.040, 393.705, 393.847, 640.100, 640.620, 644.016, 644.036, 644.051 and 644.052, RSMo, and to enact in lieu thereof seventeen new sections relating to water resources, with an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 1 to Senate Amendment No. 4, Senate Amendment No. 2 to Senate Amendment No. 4, Senate Amendment No. 4, as amended, and Senate Amendment No. 5

*Senate Amendment No. 1*

AMEND Senate Substitute for House Bill No. 1748, Page 1, Section A, Line 6 of said page, by inserting immediately after said line the following:

“247.030. 1. Territory that may be included in a district sought to be incorporated or enlarged may be wholly within one or in more than one county, may take in school districts or parts thereof, and cities that do not have a waterworks system or cities whose governing body has by a majority vote requested that the city or part thereof be included within the boundaries of a public water supply district. For the purpose of this section, “city” means any city, town or village. The territory, however, shall be contiguous, and proceedings to incorporate shall be in the circuit court of the county in which the largest acreage is located. No two districts shall overlap.



2. Any two or more contiguous districts or any city and a contiguous district may, if there are no outstanding general obligation bonds relating to drinking water supply projects in either entity, by a majority vote of the governing body of each entity, provide for territory located in one entity to be annexed and served by the entity contiguous to the annexed territory. Notice of the proposed annexation shall be filed with the circuit court that originally issued the decree of incorporation for a district which is detaching territory through the proposed annexation or with the circuit court that originally issued the decree of incorporation for a district which is including a city or part thereof through the proposed annexation. The court shall set a date for a hearing on the proposed annexation and shall cause notice to be published in the same manner as for the filing of the original petition for incorporation; except that publication of notice shall not be required if a majority of the landowners in the territory proposed to be annexed consent in writing, and if notice of the hearing is posted in three public places within the territory proposed to be annexed at least seven days before the date of the hearing. If publication of the notice is not required pursuant to this section, the court shall only approve the proposed annexation if there is sworn testimony by at least five landowners in the area of the proposed annexation, or a majority of the landowners, if there are fewer than ten landowners in the area. If the court, after the hearing, finds that the proposed annexation would not be in the public interest, it shall order that the annexation not be allowed. If the court finds the proposed annexation to be in the public interest, it shall approve the annexation and the territory shall be detached from the one entity and annexed to the other. After the annexation is approved, the circuit court in which each district involved in the proceedings was incorporated shall amend the decree of incorporation for each district to reflect the change in the boundaries as a result of the annexation and to redivide each district into five subdistricts, fixing their boundary lines so that each of the five subdistricts have approximately the same area. A certified copy of the amended decree showing the boundary change and the new subdistricts shall be filed in the office of the recorder of deeds and in the office of the county clerk in each county having territory in the district and in the office of the secretary of state of the state of Missouri.

3. The boundaries of any district may be extended or enlarged from time to time upon the filing, with the clerk of the circuit court having jurisdiction, of a petition by either:

(1) The board of directors of the district and five or more voters **or landowners** within the territory proposed to be annexed by the district; or

(2) **The board of directors of the district and** a majority of the landowners within the territory proposed to be annexed to the district.

**If the petition is filed by the board of directors of the district and five or more voters or landowners within the territory proposed to be annexed by the district, the same proceedings shall be followed as are provided in section 247.040 for the filing of a petition for the organization of the district, except that no election shall be held. Upon entry of a final order declaring the court's decree of annexation to be final and conclusive, the court shall modify or rearrange the boundary lines of the subdistricts as may be necessary or advisable.** If the petition is filed by **the board of directors of the district and** a majority of the landowners within the territory proposed to be annexed, the publication of notice shall not be required, provided notice is posted in three public places within the territory proposed to be annexed at least seven days before the date of the hearing and provided that there is sworn testimony by at least five landowners in the territory proposed to be annexed, or a majority of the landowners if the total landowners in the area are fewer than ten. **If the court finds that the annexation of such territory would be in the public interest, the court shall enter its order granting such annexation.** Upon the entry of [a final] **such** order [declaring the court's decree of annexation to be final and conclusive], the court shall modify or rearrange the boundary lines of the subdistricts as may be necessary or advisable. The costs incurred in the enlargement or extension of the district shall be taxed to the district, if the district be enlarged or extended, otherwise against the petitioners; provided, however, that no costs shall be taxed to the directors of the district.

4. Should any [voter] **landowner** who owns real estate that abuts upon a district once formed desire to have such real estate incorporated in the district, the [voter] **landowner** shall first petition the board of directors thereof for its approval. If such approval be granted, the clerk of the board shall endorse a certificate of the fact of approval by the board upon the petition. The petition so endorsed shall be filed with the clerk of the circuit court in which the district is incorporated. It shall then be the duty of the court to amend the boundaries of such district by a decree incorporating the real estate in the same. A certified copy of this decree including the real estate in the district shall then be filed in the office of the recorder and in the office of the county clerk of the county in which the real estate is located, and in the office of the secretary of state. The costs of this proceeding shall be borne by the petitioning property owner.

247.031. 1. Territory included in a district that is not being served by such district may be detached from such district provided that there are no outstanding general obligation or special obligation bonds and no contractual obligations of greater than twenty-five thousand dollars for debt that pertains to infrastructure, fixed assets or obligations

for the purchase of water. If any such bonds or debt is outstanding, and the written consent of the holders of such bonds or the creditors to such debt is obtained, then such territory may be detached in spite of the existence of such bonds or debt, except such consent shall not be required for special obligation bonds if the district has no water lines or other facilities located within any of the territory detached. Detachment may be made by the filing of a petition with the circuit court in which the district was incorporated. The petition shall contain a description of the tract to be detached and a statement that the detachment is in the best interest of the district or the inhabitants and property owners of the territory to be detached, together with the facts supporting such allegation. The petition may be submitted by the district acting through its board of directors, in which case the petition shall be signed by a majority of the board of directors of the district. The petition may also be submitted by voters residing in **or by landowners owning land in** the territory sought to be detached. If there are more than ten voters **and landowners** in such territory, the petition shall be signed by five or more voters [residing in] **or landowners within** the territory; if there are less than ten voters [residing in] **and landowners within** such territory, the petition shall be signed by fifty percent or more of the voters [residing in] **and landowners within** the territory. In the event there are no voters living within such territory proposed to be detached, then the petition may be submitted by owners of more than fifty percent of the land in the territory proposed to be detached, in which case said petition shall be signed by the owners so submitting the petition.

2. Such petition shall be filed in the circuit court having jurisdiction and the court shall set a date for hearing on the proposed detachment and the clerk shall give notice thereof in three consecutive issues of a weekly newspaper in each county in which any portion of the territory proposed to be detached lies, or in lieu thereof, in [twenty consecutive issues of] a daily newspaper in each county in which any portion of the tract proposed to be detached lies; the last insertion of the notice to be made not less than seven nor more than twenty-one days before the hearing. Such notice shall be substantially as follows:

IN THE CIRCUIT COURT OF  
..... COUNTY, MISSOURI  
NOTICE OF THE FILING OF A PETITION FOR  
TERRITORIAL DETACHMENT FROM  
PUBLIC WATER SUPPLY DISTRICT NO. ....  
OF ..... COUNTY, MISSOURI.

To all voters and landowners of land within the boundaries of the above-described district:

You are hereby notified:

1. That a petition has been filed in this court for the detachment of the following tracts of land from the above-named public water supply district, as provided by law: (Describe tracts of land).

2. That a hearing on said petition will be held before this court on the ..... day of ....., 20 ..., at ....., ....m.

3. Exceptions or objections to the detachment of said tracts from said public water supply district may be made by any voter or landowner of land within the district from which territory is sought to be detached, provided such exceptions or objections are in writing not less than five days prior to the date set for hearing on the petition.

4. The names and addresses of the attorneys for the petitioner are:

.....  
Clerk of the Circuit Court of  
..... County, Missouri

3. The court, for good cause shown, may continue the case or the hearing thereon from time to time until final disposition thereof.

4. Exceptions or objections to the detachment of such territory may be made by any voter or landowner within the boundaries of the district, including the territory to be detached. The exceptions or objections shall be in writing and shall specify the grounds upon which they are made and shall be filed not later than five days before the date set for hearing the petition. If any such exceptions or objections are filed, the court shall take them into consideration when considering the petition for detachment and the evidence in support of detachment. If the court finds that the detachment will be in the best interest of the district and the inhabitants and landowners of the area to be detached will not be adversely affected or if the court finds that the detachment will be in the best interest of the inhabitants and landowners of the territory to be detached and will not adversely affect the remainder of the district, it shall approve the detachment and grant the petition.

5. If the court approves the detachment, it shall make its order detaching the territory described in the petition from the remainder of the district, or in the event it shall find that only a portion of said territory should be detached, the court shall order such portion detached from the district. The court shall also make any changes in subdistrict boundary lines it deems necessary to meet the requirements of sections 247.010 to 247.220. Any subdistrict line

changes shall not become effective until the next annual election of a member of the board of directors

6. A certified copy of the court's order shall be filed in the office of the recorder and in the office of the county clerk in each county in which any of the territory of the district prior to detachment is located, and in the office of the secretary of state. Costs of the proceeding shall be borne by the petitioner or petitioners.”; and

Further amend said bill, Pages 1 to 6, Section 247.040, by striking all of said section and inserting in lieu thereof the following:

“247.040. 1. Proceedings for the formation of a public water supply district shall be substantially as follows: a petition in duplicate describing the proposed boundaries of the district sought to be formed, accompanied by a plat of the proposed district, shall be filed with the clerk of the circuit court of the county wherein the proposed district is situate, or with the clerk of the circuit court of the county having the largest acreage proposed to be included in the proposed district, in the event that the proposed district embraces lands in more than one county. Such petition, in addition to such boundary description, shall set forth an estimate of the number of customers of the proposed district, the necessity for the formation of the district, the probable cost of the improvement, an approximation of the assessed valuation of taxable property within the district and such other information as may be useful to the court in determining whether or not the petition should be granted and a decree of incorporation entered. Such petition shall be accompanied by a cash deposit of fifty dollars as an advancement of the costs of the proceeding, and the petition shall be signed by not less than fifty voters **or owners of real property** within the proposed district and shall pray for the incorporation of the territory therein described into a public water supply district. The petition shall be verified by at least one of the signers thereof.

2. Upon the filing of the petition, the same shall be presented to the circuit court, and such court shall fix a date for a hearing on such petition, as herein provided for. Thereupon the clerk of the court shall give notice of the filing of the petition in some newspaper of general circulation in the county in which the proceedings are pending, and if the district extends into any other county or counties, such notice shall also be published in some newspaper of general circulation in such other county or counties. The notice shall contain a description of the proposed boundary lines of the district and the general purposes of the petition, and shall set forth the date fixed for the hearing on the petition, which shall not be less than [fifteen] **seven** nor more than twenty-one days after the date of the last publication of the notice and shall be on some regular judicial day of the court wherein the petition is pending. Such notice shall be signed by the clerk of the circuit court and shall be published in three successive issues of a weekly newspaper or in [twenty successive issues of] a daily newspaper **once a week for three consecutive weeks**.

3. The court, for good cause shown, may continue the case or the hearing thereon from time to time until final disposition thereof.

4. Exceptions to the formation of a district, or to the boundaries outlined in the petition for the incorporation thereof, may be made by any voter **or owner of real property in** the proposed district; provided, such exceptions are filed not less than five days prior to the date set for the hearing on the petition. Such exceptions shall specify the grounds upon which the exceptions are being made.

If any such exceptions be filed, the court shall take them into consideration in passing upon the petition and shall also consider the evidence in support of the petition and in support of the exceptions made. Should the court find that the petition should be granted but that changes should be made in the boundary lines, it shall make such changes in the boundary lines as set forth in the petition as to the court may seem meet and proper, and thereupon enter its decree of incorporation, with such boundaries as changed.

5. Should the court find that it would not be to the public interest to form such a district, the petition shall be dismissed at the costs of the petitioners. If, however, the court should find in favor of the formation of such district, the court shall enter its decree of incorporation, setting forth the boundaries of the proposed district as determined by the court pursuant to the aforesaid hearing. The decree of incorporation shall also divide the district into five subdistricts and shall fix their boundary lines, all of which subdistricts shall have approximately the same area and shall be numbered. The decree shall further contain an appointment of one voter from each of such subdistricts, to constitute the first board of directors of the district. No two members of such board so appointed or hereafter elected or appointed shall reside in the same subdistrict, except as provided in section 247.060. If no qualified person who lives in the subdistrict is willing to serve on the board, the court may appoint, or the voters may elect, an otherwise qualified person who lives in the district but not in the subdistrict. The court shall designate two of such directors so appointed to serve for a term of two years and one to serve for a term of one year. And the directors thus appointed by the court shall serve for the terms thus designated and until their successors shall have been appointed or elected as herein provided. The

decree shall further designate the name and number of the district by which it shall hereafter be officially known.

6. The decree of incorporation shall not become final and conclusive until it shall have been submitted to the voters residing within the boundaries described in such decree and until it shall have been assented to by a majority of the voters as provided in subsection 9 of this section or by two-thirds of the voters of the district voting on the proposition. The decree shall provide for the submission of the question and shall fix the date thereof. The returns shall be certified by the judges and clerks of election to the circuit court having jurisdiction in the case and the court shall thereupon enter its order canvassing the returns and declaring the result of such election.

7. If, upon canvass and declaration, it is found and determined that the question shall have been assented to by a majority of two-thirds of the voters of the district voting on such proposition, then the court shall, in such order declaring the result of the election, enter a further order declaring the decree of incorporation to be final and conclusive. In the event, however, that the court should find that the question had not been assented to by the majority above required, the court shall enter a further order declaring such decree of incorporation to be void and of no effect. No appeal shall lie from any such decree of incorporation nor from any of the aforesaid orders. In the event that the court declares the decree of incorporation to be final, as herein provided for, the clerk of the circuit court shall file certified copies of such decree of incorporation and of such final order with the secretary of state of the state of Missouri, and with the recorder of deeds of the county or counties in which the district is situate and with the clerk of the county commission of the county or counties in which the district is situate.

8. The costs incurred in the formation of the district shall be taxed to the district, if the district be incorporated otherwise against the petitioners.

9. If petitioners seeking formation of a public water supply district specify in their petition that the district to be organized shall be organized without authority to issue general obligation bonds, then the decrees relating to the formation of the district shall recite that the district shall not have authority to issue general obligation bonds and the vote required for such a decree of incorporation to become final and conclusive shall be a simple majority of the voters of the district voting on such proposition.”; and

Further amend said bill, Page 6, Section 247.040, Line 12 of said page, by inserting after all of said line the following:

“247.217. 1. Any two or more contiguous public water supply districts organized under the provisions of sections 247.010 to 247.220 may be consolidated into a single district by a decree of the circuit court in which the district with the largest acreage was originally incorporated and organized.

2. Proceedings for consolidation of such districts shall be substantially as follows: The board of directors of each of the districts to be consolidated shall authorize, by resolution passed at a regular meeting or a special meeting called for such purpose, its president, on behalf of the district, to petition the circuit court having jurisdiction for consolidation with any one or more other contiguous public water supply districts.

3. Such petition shall be filed in the circuit court having jurisdiction and the court shall set a date for a hearing thereon and the clerk shall give notice thereof in some newspaper of general circulation in each county in which each of the districts proposed to be consolidated is located.

4. Such notice shall be substantially as follows:

IN THE CIRCUIT COURT OF .....  
COUNTY, MISSOURI  
NOTICE OF THE FILING OF A PETITION FOR  
CONSOLIDATION OF PUBLIC WATER SUPPLY  
DISTRICT NO. ...., OF ..... COUNTY,  
MISSOURI, AND PUBLIC WATER SUPPLY DISTRICT  
NO. ...., OF ..... COUNTY, MISSOURI  
(Additional districts may be named as required.)

To all voters, **landowners, and interested persons** within the boundaries of the above-described public water supply districts:

You are hereby notified:

1. That a petition has been filed in this court for the consolidation of the above-named public water supply districts into one public water supply district, as provided by law.

2. That a hearing on said petition will be held before this court on the..... day of....., [19] **20**...., at....., ....m.

3. Exceptions or objections to the consolidation of said districts may be made by any voters **or landowners** of

any of such districts proposed to be consolidated, provided such exceptions or objections are filed in writing not less than five days prior to the date set for the hearing on the petition.

4. The names and addresses of the attorneys for the petitioner are:

.....  
Clerk of the Circuit Court of  
..... County, Missouri

5. The notice shall be published in three consecutive issues of a weekly newspaper in each county in which any portion of any district proposed to be consolidated lies, or in lieu thereof, in twenty consecutive issues of a daily newspaper in each county in which any portion of any district proposed to be consolidated lies; the last insertion of such notice to be made not less than seven nor more than twenty-one days before the hearing.

6. The court, for good cause shown, may continue the case or the hearing thereon from time to time until final disposition thereof.

7. Exceptions or objections to the consolidation of such districts may be made by any voter **or landowner** within the boundaries of the proposed district. The exceptions or objections shall be in writing and shall specify the grounds upon which the same are made and shall be filed not later than five days before the date set for hearing the petition. If any such exceptions or objections are filed, the court shall take them into consideration in passing upon the petition for consolidation and shall also consider the evidence in support of the petition. If the court finds that the consolidation will provide for the rendering of necessary water service in the districts, and is in the best interest of the voters **and the landowners** of the district, it shall, by its decree, approve such consolidation. The decree of consolidation shall set an effective date for the consolidation of the districts and shall provide that the proposed consolidated district shall be divided into five subdistricts and shall fix boundary lines of each subdistrict, all of which subdistricts shall have approximately the same area and shall be numbered.

8. The decree of consolidation shall not become final and conclusive until it has been submitted to voters in each of the districts proposed to be included in the consolidated district.

9. If, upon canvass and declaration of the results, it is found and determined that the question has been assented to by a majority of the voters of each district voting on the question, the court shall issue its order declaring the results of the elections, declaring its previous decree of consolidation to be final and conclusive, and in addition, the decree shall provide for an election of a director from each of the subdistricts set forth in the decree of the court as specified in subsection 7 of this section. The terms of office for the directors elected at such election shall be as follows: The director elected from the subdistrict designated by the circuit court as number one shall serve until the next regular election, or until his successor has been elected and qualified; those directors elected from the subdistricts designated by the circuit court as numbers two and three shall serve until the regular election following the next regular election or until their successors have been elected and qualified; those directors elected from the subdistricts designated by the circuit court as numbers four and five shall serve until the annual regular election following the next two regular elections, or until their successors have been elected and qualified. Thereafter all directors shall be elected as provided by sections 247.010 to 247.220. The election shall be held at least thirty days before the effective date of the consolidation. The returns shall be certified by the judges and clerks of election to the circuit court having jurisdiction and the court shall thereupon enter its order naming the directors from each subdistrict.

10. The eligibility and requirements for a director for a consolidated district shall be identical with those set forth in section 247.060 and no two members of the board shall reside in the same subdistrict. Any candidate shall have his name imprinted upon the ballot, provided he shall file a declaration of intention to become such a candidate with the clerk of the circuit court.

11. In its final decree, the court shall designate a name for the consolidated district which shall be as follows: Consolidated Public Water Supply District No. ...., of..... County, Missouri.

12. On the effective date of the consolidation of the districts, the newly elected directors shall organize in the same manner as is provided in sections 247.010 to 247.220, and all of such provisions shall apply to consolidated public water supply districts in the same manner as to other public water supply districts.

13. At the time of the effective date of the consolidation, all the property of the original districts shall be combined and administered as one unit, which shall be subject to the liens, liabilities and obligations of the original districts, provided that if any district included in the consolidated district has issued general obligation bonds which are outstanding at the time of the consolidation, any taxes to be levied to pay the bonds and interest thereon shall be levied only upon the property within the original district issuing the bonds as it existed on the date of such issuance. All special obligation or revenue bonds issued by any district included in the consolidated district shall be paid in accordance with the terms thereof, without preference, from the revenue received by the consolidated district.

14. A certified copy of the decrees of the court shall be filed in the office of the recorder and in the office of the county clerk in each county in which any part of the consolidated district is located, and in the office of the secretary of state. Such copies shall be filed by the clerk of the circuit court and the filing fees shall be taxed as costs.

247.220. 1. Proceedings for the dissolution of a public water supply district shall be substantially the same as proceedings for the formation of such a district, as follows: A petition describing the boundaries of the district sought to be dissolved shall be filed with the clerk of the circuit court of the county wherein the subject district is situate, or with the clerk of the circuit court of the county having the largest acreage within the boundaries of the subject district, in the event that the subject district embraces lands in more than one county. Such petition, in addition to such boundary description, shall allege that further operation of the subject district is inimicable to the best interests of the inhabitants of the district, that the district should, in the interest of the public welfare and safety, be dissolved, that an alternative water supplier is available and better able to supply water to the inhabitants of the district, and such other information as may be useful to the court in determining whether [or not] the petition should be granted and a decree of dissolution entered. Such petition shall **also include a detailed plan for payment of all debt and obligations of the district at the time of dissolution. Such petition shall** be accompanied by a cash deposit of fifty dollars as an advancement of the costs of the proceeding and the petition shall be signed by not less than one-fifth of the registered voters from each subdistrict, or fifty registered voters from each subdistrict, whichever is less, within the subject district. The petition shall be verified by at least one of the signers thereof **and shall be served upon the board of directors of the district as provided by law. The district shall be a party, and if the board of directors in its discretion determines that such dissolution is not in the public interest, the district shall oppose such petition and pay all cost and expense thereof.**

2. Upon the filing of the petition, the same shall be presented to the circuit court, and such court shall fix a date for a hearing on such petition, as provided in this section. Thereupon, the clerk of the court shall give notice of the filing of the petition in some newspaper of general circulation in the county in which the proceedings are pending, and if the district extends into any other county or counties, such notice shall also be published in some newspaper of general circulation in such other county or counties. The notice shall contain a description of the subject boundary lines of the district and the general purposes of the petition, and shall set forth the date fixed for the hearing on the petition, which shall not be less than [fifteen] **seven** nor more than twenty-one days after the date of the last publication of the notice and shall be on some regular judicial day of the court wherein the petition is pending. Such notice shall be signed by the clerk of the circuit court and shall be published in three successive issues of a weekly newspaper or in twenty successive issues of a daily newspaper.

3. The court, for good cause shown, may continue the case or the hearing thereon from time to time until final disposition thereof.

4. Exceptions to the dissolution of a district may be made by any voter **or landowner** of the [subject] district[.], **and by the district as herein** provided[.]; such exceptions [are] **shall be** filed not less than five days prior to the date set for the hearing on the petition. Such exceptions shall specify the grounds upon which the exceptions are filed and the court shall take them into consideration in passing upon the petition and shall also consider the evidence in support of the petition and in support of the exceptions made. **Unless petitioners prove that all debts and financial obligations of the district can be paid in full upon dissolution, the petition shall be dismissed at the cost of the petitioners.**

5. Should the court find that it would not be to the public interest to dissolve a district, the petition shall be dismissed at the costs of the petitioners. If, however, the court should find in favor of the petitioners, the court shall enter its interlocutory decree of dissolution which decree shall provide for the submission of the question to the voters of the district in substantially the following form:

Shall .... Public Water Supply District be dissolved?

6. The decree of dissolution shall not become final and conclusive until it shall have been submitted to the voters residing within the boundaries described in such decree and until it shall have been assented to by a majority of [four-sevenths] **two-thirds** of the voters of the district voting on the proposition. The decree shall provide for the submission of the question and shall fix the date thereof. The returns shall be certified by the election authority to the circuit court having jurisdiction in the case and the court shall thereupon enter its order canvassing the returns and declaring the result of such election.

7. If, upon canvass and declaration, it is found and determined that the question shall have been assented to by a majority of [four-sevenths] **two-thirds** of the voters of the district voting on such proposition then the court shall, in such order declaring the result of the election, enter a further order declaring the decree of dissolution to be final and conclusive. In the event, however, that the court should find that the question had not been assented to by the majority

required, the court shall enter a further order declaring such decree of dissolution to be void and of no effect. No appeal shall lie from any of the aforesaid orders. In the event that the court declares the decree of dissolution to be final, as provided in this section, the clerk of the circuit court shall file certified copies of such decree of dissolution and of such final order with the secretary of state of the state of Missouri, and with the recorder of deeds of the county or counties in which the district is situate and with the clerk of the county commission of the county or counties in which the district is situate.

8. Notwithstanding anything in this section to the contrary, no district shall be dissolved until after all of its debts shall have been paid, and the court, in its decree of dissolution, shall provide for the disposition of the property of the district.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for House Bill No. 1748, Page 40, Section 1, Line 5, by inserting after all of said line the following:

**“Section 2. Notwithstanding the provisions of chapter 34, RSMo, to the contrary, any levee district in a county with a charter form of government and a population of at least two hundred fifty thousand but less than three hundred thousand inhabitants, when a grant is approved pursuant to sections 644.006 to 644.141, RSMo, the grant funds have not been distributed, and such levee district requests a waiver of the bidding requirements of chapter 34, RSMo, pursuant to section 644.061, RSMo, such district shall receive the waiver from the department of natural resources to exempt the contract from such bidding requirements, provided that such levee district meets the bidding requirements of the Federal Acquisition Regulation Part 19.000. When the levee district completes the requirements under the Federal Acquisition Regulation Part 19.000, and to the satisfaction of the U.S. Army Corp of Engineers, the department shall release the grant award. The provisions of this section shall expire on December 31, 2002.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Substitute for House Bill No. 1748, Page 21, Section 644.036, Line 23, by inserting after all of said line the following:

**“6. Any classification of a stream segment or the assignment of any standard or designated use to a stream segment shall be adopted by rule pursuant to chapter 536, RSMo, and be based on clear and convincing evidence that the benefits of stream segment classification and associated water quality standards outweigh the social, economic or regulatory costs to the state and the regulated community.**

**7. For any classified stream segment assigned the designated use of whole body contact, the commission must demonstrate by clear and convincing evidence that during the period from April first through October thirty-first of each year; such stream segment is open to and accessible by the public and is capable of supporting the whole body contact activities of swimming, skin diving and water-skiing where the body is intended to be completely immersed in surface water to the extent that some inadvertent ingestion of water is probable.”**

*Senate Amendment No. 4*

AMEND Senate Substitute for House Bill No. 1748, Page 9, Section 393.847, Line 11, by inserting after all of said line the following:

**“393.1012. 1. As used in sections 393.1012 to 393.1014, the following terms mean:**  
**(1) “Appropriate pretax revenues”, the revenues necessary to:**  
**(a) Produce net operating income equal to the water corporation's weighted cost of capital multiplied by the net original cost of eligible infrastructure system replacements; and**

- (b) Include state, federal and local income or excise taxes applicable to such income;
- (2) "Commission", shall refer to the Missouri public service commission;
- (3) "ISRC", infrastructure system replacement charge;
- (4) "ISRC costs", depreciation expense and appropriate pretax revenues associated with eligible infrastructure system replacements;
- (5) "ISRC revenues", revenues produced through an ISRC exclusive of revenues from all other rates and charges;
- (6) "Eligible infrastructure system replacements", new water utility plant projects that are used and useful and that:
  - (a) Do not increase revenues by directly connecting the infrastructure replacement to new customers;
  - (b) Are in service;
  - (c) Were not included in the water corporation's rate base in its most recent general rate case; and
  - (d) Replace an existing infrastructure;
- (7) "Water corporation", includes every corporation, company, association, joint stock company or association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, owning, operating, controlling or managing any plant or property, dam or water supply, canal, or power station, distributing or selling for distribution, or selling or supplying for gain any water as defined in section 386.020, RSMo.

2. Immediately upon effectuation of this statute, a water corporation providing water service in a county of the first classification having a population of over nine hundred thousand inhabitants may file a petition with the commission to establish or change ISRC rate schedules that will allow for the adjustment of the water corporation's rates and charges per a separate line billing item to provide for the recovery of prudently incurred ISRC costs for eligible infrastructure system replacements. This charge shall not apply to those customers classified as "industrial" by the public service commission. The commission may not approve an ISRC to the extent it would produce total ISRC revenues exceeding ten percent of the water corporation's base revenue level approved by the commission in the water corporation's most recent general rate proceeding. This charge and any future changes shall be implemented in accordance with section 393.1014. The ISRC shall be subject to a refund based upon a finding and order of the commission.

393.1014. 1. The water corporation shall serve the office of the public counsel a copy of its filing at the time of its filing with the commission.

2. (1) When a petition is filed pursuant to sections 393.1012 to 393.1014, the commission shall conduct an examination of the proposed rate.

(2) The staff of the commission may examine information of the water corporation to confirm that the underlying costs are in accordance with this section, to confirm proper calculation of the proposed charge, and may submit a report to the commission not later than sixty days after the petition is filed.

(3) The commission may hold a hearing and shall issue an order not later than one hundred twenty days after the petition is filed.

(4) If the commission finds that a petition complies with the requirements of this section, the commission shall enter an order authorizing the corporation to impose a charge that is sufficient to recover appropriate pretax revenue and depreciation, as determined by the commission pursuant to the provisions of this section; provided that the commission shall only allow charges to apply to customers receiving a benefit or shall prorate the charge according to the benefit received by the customers.

3. A water corporation may file a petition for a change in its rate under this section no more often than one time every twelve months.

4. In determining the appropriate pretax revenue, the commission may consider the following factors:

- (1) The current state, federal and local income tax or excise rates;
- (2) The water corporation's actual regulatory capital structure as determined at the most recent general rate proceeding of the water corporation;
- (3) The actual cost rates for the water corporation's debt and preferred stock as determined at the most recent general rate proceeding of the water corporation;
- (4) The water corporation's cost of common equity as determined at the most recent general rate proceeding of the water corporation.

5. The charge may be calculated based on a reasonable estimate of revenues in the period in which the charge will be in effect. At the end of each twelve month calendar period the charge is in effect, the water



corporation shall reconcile the differences between the revenues resulting from the charge and the underlying costs during that period and shall submit the reconciliation and adjustment to the commission for approval to recover or refund the difference, as appropriate, through adjustment of the charge.

6. A water corporation that has implemented a charge pursuant to section 393.1012 shall file revised rate schedules to adjust the charge when new base rates and charges become effective for the water corporation following a commission order authorizing a general increase in rates and charges that includes in the utility's rate base eligible costs previously reflected in the charge.

7. The filing of a charge pursuant to this section and a change in such charge is not a general increase in base rates and charges.

8. The commission may adopt by order other procedures not inconsistent with this chapter that the commission finds reasonable or necessary to administer these charges.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1  
to  
Senate Amendment No. 4*

AMEND Senate Substitute for House Bill No. 1748, Page 2, Section 393.1012, Lines 21-23, by deleting all of said lines and inserting in lieu thereof the following: “**ISRC costs for eligible infrastructure system replacements. The commission**”.

*Senate Amendment No. 2  
to  
Senate Amendment No. 4*

AMEND Senate Amendment No. 4 to Senate Substitute for House Bill No. 1748, Page 5, Section 393.1014, Line 4, by inserting immediately after the word “**charges.**” the following:

**“9. The provisions of sections 393.1012 to 393.1014 shall terminate December 31, 2007.”**

*Senate Amendment No. 5*

AMEND Senate Substitute for House Bill No. 1748, Page 38, Section 701.034, Line 5, by inserting after “contrary,” on said line the following:

**“The department shall approve for installation any alternative technologies tested and approved for such applications by a community college or other institution of higher education or”.**

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has allowed the Senate conferees to exceed the differences on **HCS SB 795**, and has taken up and adopted the Conference Committee Report #2 on **HCS SB 795** and has taken up and passed Conference Committee Substitute #2 on **HCS SB 795**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA1** and **HA2 to SB 859** and has taken up and passed **SB 859**, as amended.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1403**, entitled:

An act to amend chapter 436, RSMo, by adding thereto thirteen new sections relating to retainage in private building contracts.

With Senate Amendment No. 1

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1403, Page 6, Section 436.327, Lines 5-13, by deleting such section and inserting in lieu thereof the following:

**“436.327. The project shall be deemed to have reached substantial completion upon the occurrence of the earlier of the architect or engineer issuing a certificate of substantial completion in accordance with the terms of the contract documents or the owner accepting the performance of the full contract.”.**

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 1402, as amended**: Senators Steelman, Kenney, Bentley, Goode and Stoll.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SBs 837, 866, 972 & 990, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 892** and has taken up and passed **HCS SCS SB 892**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SCS SB 1026, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SB 1039** and has taken up and passed **HS HCS SB 1039**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SBs 1061 & 1062, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2120**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 2120 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 2120;
2. That the House recede from its position on House Bill No. 2120;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 2120 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Michael Gibbons  
/s/ Sen. Chuck Gross  
/s/ Sen. Anita Yeckel  
/s/ Sen. Wayne Goode  
/s/ Sen. Harry Kennedy

FOR THE HOUSE:

/s/ Rep. Craig Hosmer  
/s/ Rep. Phillip Britt  
/s/ Rep. Gary Kelly  
/s/ Rep. Luann Ridgeway  
/s/ Rep. Robert Mayer

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NOS. 1086 & 1126**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1086 & 1126, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1086 & 1126;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill Nos. 1086 & 1126;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1086 & 1126, be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Ed Quick  
/s/ Stephen Stoll  
/s/ Doyle Childers  
/s/ David Klindt  
/s/ Roseann Bentley

**FOR THE HOUSE:**

/s/ Thomas Hoppe  
/s/ Wes Wagner  
/s/ Ryan McKenna  
/s/ Don Lograsso  
/s/ Jon Dolan

**ADJOURNMENT**

On motion of Representative Riback Wilson (25), the House adjourned until 9:00 a.m., Wednesday, May 15, 2002.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-ninth Day, Friday, May 10, 2002, line 14, by inserting immediately after said line the following:

“Which motion was adopted.”

Correct House Journal, Seventieth Day, Monday, May 13, 2002, pages 1948 and 1949, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 1950 and 1951, roll call, by showing Representative Myers voting "aye" rather than "absent with leave".

Pages 1951 and 1952, roll call, by showing Representatives Black and Secrest voting "aye" rather than "absent with leave".

Pages 1952 and 1953, roll call, by showing Representatives Paone and Shoemaker (8) voting "aye" rather than "absent with leave".

Pages 1952 and 1953, roll call, by showing Representatives Bartelsmeyer, Jetton, Kelly (144), King and Naeger voting "aye" rather than "absent with leave".

Pages 1954 and 1955, roll call, by showing Representative Barnett voting "no" rather than "aye".

Page 1955, roll call, by showing Representative Boucher voting "aye" rather than "absent with leave".

Page 1956, roll call, by showing Representative Enz voting "aye" rather than "absent with leave".

Pages 1957 and 1958, roll call, by showing Representative Jetton voting "aye" rather than "absent with leave".

Pages 1970 and 1971, roll call, by showing Representative Paone voting "aye" rather than "absent with leave".

Pages 1972 and 1973, roll call, by showing Representatives Hanaway, Kelly (144) and King voting "aye" rather than "absent with leave".

Pages 1975 and 1976, roll call, by showing Representative Kelly (144) voting "aye" rather than "absent with leave".

Pages 1978 and 1979, roll call, by showing Representative King voting "aye" rather than "absent with leave".

Pages 1978 and 1979, roll call, by showing Representative Dempsey voting "no" rather than "absent with leave".

Pages 1978 and 1979, roll call, by showing Representative Hosmer voting "present" rather than "absent with leave".

Pages 1984 and 1985, roll call, by showing Representatives Crawford, Froelker, Hegeman and Jolly voting "aye" rather than "absent with leave".

Pages 1985 and 1986, roll call, by showing Representatives Crawford and George voting "no" rather than "absent with leave".

Pages 1988 and 1989, roll call, by showing Representatives Hosmer, Reinhart, Robirds and Scott voting "aye" rather than "absent with leave".

Page 1990, roll call, by showing Representatives George, Robirds and Scott voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **FISCAL REVIEW AND GOVERNMENT REFORM**

Wednesday, May 15, 2002, 8:00 a.m. Hearing Room 3. Fiscal Review.  
HCS/SCS/SB 894,975&927,HCS/SS/SCS/SB 670&694, HCS/SB 856,  
HCS/SS/SB 923, HCS/SB 1186.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Thursday, May 16, 2002, 8:30 a.m. Hearing Room TBA

Open meeting. Set prices for the 2002 Session Laws, other business.

**MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, May 15, 2002, 8:30 a.m. Side gallery. AMENDED NOTICE.

Executive Session may follow.

Public Hearing to be held on: SCR 57, SCR 64, SCR 69

**HOUSE CALENDAR**

SEVENTY-SECOND DAY, WEDNESDAY, MAY 15, 2002

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton
- 11 HB 1211 - Smith
- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)
- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher
- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley
- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)

- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall
- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 1576, HSA 1 for HA 1 and HA 1, as amended, pending - Hilgemann
- 2 HB 1916 - Franklin

#### **HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

HCS HCR 35, HS pending, (5-7-02, Pages 1716-1718) - Riback Wilson (25)

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 3 HS HCS HB 1231 - Harding

#### **SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 58, HCA 1 (Klarich) (4-9-02, Pages 1026-1027) - Luetkenhaus
- 2 SCR 49, (Rohrbach) (3-06-02, Page 490) - O'Toole
- 3 HCS SCR 41, (Rohrbach) (5-14-02) -

#### **SENATE JOINT RESOLUTION FOR THIRD READING**

HCS SJR 24, (Johnson) (5-02-02, Page 1583) - Farnen

#### **SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 831, (Loudon) - Gambaro

## **SENATE BILLS FOR THIRD READING**

- 1 HCS SS SCS SB 675, E.C.(Yeckel) - Seigfreid
- 2 HCS SCS SB 894, 975 & 927, E.C. (Kinder) (Fiscal Review 5-6-02) - O'Toole
- 3 HCS SB 856, (Russell) (Fiscal Review 5-6-02) - Rizzo
- 4 HCS SS SCS SB 670 & 684, (Sims) (Fiscal Review 5-8-02) - Harlan
- 5 SB 1011, (Caskey) - Monaco
- 6 HCS SS SCS SB 931, (Klarich) - Monaco
- 7 HCS SB 1186, (Kenney)(Fiscal Review 5-13-02) - Hoppe
- 8 HCS SS SCS SB 923, 828, 876, 694 & 736, E.C.(Sims) (Fiscal Review 5-14-02) - Barry
- 9 HCS SS SCS SB 1107, (Childers) - Hoppe
- 10 SB 713, (Singleton) - Hosmer
- 11 HCS SS SB 665, (Kenney) (Fiscal Review 5-14-02) - Hoppe
- 12 HCS SCS SB 1060, (Westfall) - Hoppe
- 13 HCS SCS SB 834, E.C. (Sims) - Hoppe
- 14 SCS SB 642, (Russell) - Hosmer
- 15 HCS SCS SB 739, (Wiggins) - Monaco
- 16 HCS SB 989, as amended (Caskey) (Fiscal Review 5-14-02) - Hartzler
- 17 HCS SCS SB 1137, (Bentley) - Hosmer
- 18 HCS SCS SB 662 & 704, (Westfall) - Monaco
- 19 SCS SB 878, (Sims) - Harding
- 20 HCS SCS SB 916, (Dougherty) - Smith
- 21 SCS SB 1203, (Yeckel) - Hilgemann
- 22 SB 896, (Yeckel) - Treadway

## **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1701 - Luetkenhaus
- 2 SCS HB 1773, E.C. - Shelton
- 3 SS#2 SCS HB 1348, as amended - Myers
- 4 SS SCS HCS HJR 47 - Willoughby
- 5 SS SCS HB 1041, as amended, E.C. - Myers
- 6 SS SCS HB 1270 & HB 2032, as amended, E.C. - Gratz
- 7 SS HB 1748, as amended, E.C. - Ransdall
- 8 SS SCS HCS HB 1403, as amended - St. Onge

## **BILLS CARRYING REQUEST MESSAGES**

- 1 SS SCS HB 1953, as amended (request Senate recede/grant conference) - Van Zandt
- 2 HS#2 HCS SS SCS SB 969, 673 & 855, as amended E.C.  
(request House recede/grant conference) - Smith
- 3 HS HCS SCS SB 1061 & 1062, as amended (request House recede/grant conference) - Harlan



- 4 HCS SS SCS SB 837, 866, 972 & 990, as amended  
(request House recede/grant conference) - Berkowitz
- 5 HS SCS SB 1026, as amended (request House recede/grant conference) - Barry
- 6 SS SCS HS HCS HB 1962, as amended (request Senate recede/grant conference)- Monaco

**BILLS IN CONFERENCE**

- 1 CCR SCS HB 2120 - Ridgeway
- 2 HS HCS SS SB 1248, as amended - Foley
- 3 CCR HCS SB 758 - Hosmer
- 4 CCR#2 HCS SB 795 - Treadway
- 5 CCR HCS SCS SB 1086 & 1126 - Hoppe
- 6 SCS HB 1313 - Burton
- 7 CCR HS SB 1220, as amended - O'Toole
- 8 HCS SCS SB 1202, E.C. - Koller
- 9 SS SCS HB 1712, as amended - Monaco
- 10 SS#2 SCS HB 1446, as amended - Luetkenhaus
- 11 HS HCS SB 895, as amended - Liese
- 12 HS HCS SCS SB 712, as amended - O'Toole
- 13 HS HCS SS SS SCS SB 970, 968, 921, 867, 868 & 738 - Koller
- 14 HS HCS SCS SB 810, as amended (conferees be allowed to exceed  
differences on spend down issue) - Ladd Baker
- 15 SCS HB 1402, as amended, E.C. - Burton
- 16 HS SCS SB 915, 710 & 907, as amended - Koller

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SEVENTY-SECOND DAY, WEDNESDAY, MAY 15, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Gracious God, as we bow our heads in prayer, help us to open our hearts to Your Spirit. In Your Holy presence, we are mindful of duties unperformed, promptings disobeyed, and Your truth ignored. Opportunities to make a difference are before us. Possibilities for doing good are present.

Bless these men and women of the House, as they confer, discuss, deal with pressures, and make decisions this day for the people of Missouri. Protect them from selfishness and narrow vision, prepare them for the day with the gift of Your peace.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jody Gerth, Danton Clark, Heather Feth, Maxwell Ryan, Jenna Bezzole, Gregory Weidhas, Michael Figus, Sonya Liu, Kaela Nichols, Zach Cayer, Emma Hawksley, Benjamin Knarr, Christina Sherwood, Aaron Arnold, Paige Kamp, Lauren Riley Smith and Zachary Schwab.

The Journal of the seventy-first day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2019

through

House Resolution No. 2021	-	Representative Relford
House Resolution No. 2022	-	Representative Smith
House Resolution No. 2023	-	Representative Seigfreid
House Resolution No. 2024	-	Representative Barry
House Resolution No. 2025	-	Representative Naeger
House Resolution No. 2026	-	Representative Moore
House Resolution No. 2027	-	Representative May (149)
House Resolution No. 2028	-	Representatives Hampton and Koller

## COMMITTEE REPORTS

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SBs 670 & 684 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 856 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SCS SBs 923, 828, 876, 694 & 736 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 1186 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## BILLS CARRYING REQUEST MESSAGES

**HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, relating to sex crimes and crime prevention, was taken up by Representative Smith.

Representative Smith moved that the House refuse to recede from its position on **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, and grant the Senate a conference.

Representative Gratz made a substitute motion that the House refuse to recede from its position on **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, grant the Senate a conference, and the conferees be bound to the House position on House Amendment No. 2.

Which motion was adopted by the following vote:

AYES: 101

Barnett	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Burcham	Burton	Byrd
Champion	Cooper	Crawford	Crowell	Cunningham
Davis	Dempsey	Dolan	Enz	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Hohulin
Holand	Holt	Hoppe	Hunter	Jetton
Kelley 47	Kelly 144	Kelly 36	King	Legan
Liese	Linton	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer

McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Reynolds	Richardson	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	St. Onge	Townley
Treadway	Villa	Vogel	Ward	Whorton
Wright				

NOES: 053

Abel	Baker	Bland	Boucher	Bowman
Boykins	Bray 84	Britt	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Fares	Farnen	Foley	Franklin	Fraser
Harding	Harlan	Haywood	Hilgemann	Hollingsworth
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Koller	Lowe	Mays 50	Monaco
Ostmann	Relford	Rizzo	Scheve	Shelton
Skaggs	Smith	Surface	Thompson	Troupe
Van Zandt	Walker	Walton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Brooks	Cierpiot	Graham	Green 73
Lawson	Ridgeway	Wagner		

VACANCIES: 001

**HS HCS SCS SBs 1061 & 1062, as amended**, relating to health insurance, was taken up by Representative Harlan.

Representative Harlan moved that the House refuse to recede from its position on **HS HCS SCS SBs 1061 & 1062, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HS SCS SB 1026, as amended**, relating to health insurance, was taken up by Representative Barry.

Representative Barry moved that the House refuse to recede from its position on **HS SCS SB 1026, as amended**, and grant the Senate a conference.

Which motion was adopted.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1773**, relating to compensation for St. Louis Police, was taken up by Representative Shelton.

On motion of Representative Shelton, **SCS HB 1773** was adopted by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Liese
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Rizzo	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 004

Boatright	Henderson	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Brooks	Champion	Crump
Franklin	Graham	Green 73	Harlan	Hickey
Lawson	Legan	Lograsso	Long	Richardson
Ridgeway	Scheve	Wagner		

VACANCIES: 001

On motion of Representative Shelton, **SCS HB 1773** was truly agreed to and finally passed by the following vote:

AYES: 145

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham

Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 005

Boatright	Henderson	Phillips	Purgason	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Brooks	Crump	Franklin	Graham
Green 73	Harlan	Hickey	Hunter	Lawson
Lograsso	Scheve			

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman

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Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Quinn
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 009

Boatright	Henderson	Linton	May 149	Phillips
Purgason	Rector	Roark	Robirds	

PRESENT: 000

ABSENT WITH LEAVE: 014

Ballard	Berkstresser	Brooks	Byrd	Crump
Graham	Green 73	Harlan	Hickey	Lawson
Lograsso	Long	Ridgeway	Scheve	

VACANCIES: 001

**SS SCS HCS HJR 47**, relating to joint municipal utility commissions, was taken up by Representative Willoughby.

On motion of Representative Willoughby, **SS SCS HCS HJR 47** was adopted by the following vote:

AYES: 132

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Berkowitz	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Haywood	Hegeman	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Johnson 61	Johnson 90	Jolly	Kelley 47
Kelly 27	Kelly 36	Koller	Legan	Liese
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth

Moore	Murphy	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 011

Cooper	Froelker	Henderson	Jetton	Kelly 144
King	Linton	Miller	Myers	Purgason
Reid				

PRESENT: 001

Behnen

ABSENT WITH LEAVE: 018

Baker	Ballard	Bartelsmeyer	Berkstresser	Crump
Graham	Green 73	Harlan	Hartzler	Hickey
Jones	Lawson	Lograsso	Long	Monaco
Reinhart	Ridgeway	Scheve		

VACANCIES: 001

On motion of Representative Willoughby, **SS SCS HCS HJR 47** was truly agreed to and finally passed by the following vote:

AYES: 139

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds



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Ross	Schwab	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

May 149                      Myers

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Ballard	Bartelsmeyer	Berkstresser	Brooks
Carnahan	Clayton	Crump	Graham	Green 73
Harlan	Hickey	Hunter	Lawson	Lograsso
Monaco	Ridgeway	Scheve	Scott	Secrest
Williams				

VACANCIES: 001

Speaker Kreider declared the bill passed.

Representative Clayton assumed the Chair.

**SS SCS HB 1270 & HB 2032, as amended**, relating to special permits for oversized vehicles, was taken up by Representative Gratz.

Representative Gratz moved that the House refuse to adopt **SS SCS HB 1270 & HB 2032, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SS HB 1748, as amended**, relating to drinking water fees, was taken up by Representative Ransdall.

Representative Ransdall moved that the House refuse to adopt **SS HB 1748, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SS SCS HCS HB 1403, as amended**, relating to retainage in building contracts, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **SS SCS HCS HB 1403, as amended**, was adopted by the following vote:

AYES: 105

Abel	Barnett	Barnitz	Barry 100	Behnen
Berkowitz	Black	Boatright	Bonner	Boucher
Bray 84	Britt	Burcham	Byrd	Campbell
Carnahan	Champion	Clayton	Crawford	Crowell
Crump	Cunningham	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambara	George	Graham	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Harding
Harlan	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hosmer	Jetton	Johnson 90	Jolly
Kelly 36	King	Koller	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Murphy	Myers	Naeger
O'Toole	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Reid	Reinhart	Reynolds
Richardson	Rizzo	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Townley	Treadway	Troupe	Van Zandt	Vogel
Wagner	Ward	Willoughby	Wilson 25	Wright

NOES: 041

Bartelsmeyer	Bartle	Bearden	Bland	Bowman
Boykins	Brooks	Burton	Cierpiot	Cooper
Copenhaver	Curls	Daus	Hagan-Harrell	Hartzler
Haywood	Hegeman	Hohulin	Hoppe	Hunter
Johnson 61	Jones	Kelley 47	Kelly 144	Lograsso
Marble	Moore	Nordwald	Ostmann	Purgason
Rector	Relford	Ridgeway	Roark	Robirds
Ross	Thompson	Villa	Walker	Walton
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Berkstresser	Franklin	Gaskill
Gratz	Henderson	Hickey	Kelly 27	Lawson
Luetkenhaus	O'Connor	Scheve	Whorton	Williams
Mr. Speaker				

VACANCIES: 001

On motion of Representative St. Onge, **SS SCS HCS HB 1403, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 105

Abel	Barnitz	Barry 100	Behnen	Berkowitz
Black	Boatright	Bonner	Boucher	Bray 84
Britt	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Copenhaver	Crawford
Crowell	Crump	Cunningham	Daus	Davis

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Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hegeman	Hendrickson
Holand	Hollingsworth	Holt	Hosmer	Jetton
Johnson 90	Jolly	Kelly 36	King	Koller
Liese	Linton	Lowe	Luetkemeyer	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Murphy	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Portwood	Quinn
Ransdall	Reid	Reinhart	Reynolds	Richardson
Rizzo	Schwab	Scott	Secrest	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Vogel	Wagner
Ward	Whorton	Willoughby	Wilson 25	Wright

NOES: 030

Barnett	Bartelsmeyer	Bartle	Bearden	Bland
Bowman	Brooks	Cooper	Curls	Haywood
Hohulin	Hoppe	Hunter	Johnson 61	Jones
Kelley 47	Kelly 144	Lograsso	Marble	Purgason
Rector	Relford	Ridgeway	Roark	Robirds
Ross	Villa	Walker	Walton	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 027

Baker	Ballard	Berkstresser	Boykins	Cierpiot
Franklin	Gaskill	Gratz	Harlan	Hartzler
Henderson	Hickey	Hilgemann	Kelly 27	Lawson
Legan	Long	Luetkenhaus	Monaco	Moore
Nordwald	Ostmann	Phillips	Scheve	Seigfreid
Williams	Mr. Speaker			

VACANCIES: 001

Representative Clayton declared the bill passed.

### APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HS HCS SCS SBs 1061 & 1062:** Representatives Harlan, Riback Wilson (25), Smith, Luetkemeyer and Portwood

**HS SCS SB 1026:** Representatives Barry, Selby, Treadway, King and May (149)

### MOTION

Representative Foley moved that the House grant leave to the members of the House Conference Committee on **HS HCS SS SB 1248, as amended**, pursuant to Rule 26.

Which motion was adopted by the following vote:

AYES: 105

Abel	Barnitz	Barry 100	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Britt	Brooks	Campbell	Carnahan
Cierpiot	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Harding	Hartzler
Haywood	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
Koller	Legan	Liese	Long	Lowe
Marsh	May 149	Mays 50	McKenna	Merideth
Monaco	Murphy	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Robirds	Schwab	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42

NOES: 044

Barnett	Bartelsmeyer	Bartle	Behnen	Boatright
Burcham	Burton	Byrd	Champion	Cooper
Crawford	Crowell	Cunningham	Dempsey	Enz
Gaskill	Hanaway	Hegeman	Henderson	Hendrickson
Jetton	Kelly 144	King	Linton	Luetkemeyer
Marble	Mayer	Miller	Moore	Myers
Naeger	Phillips	Purgason	Quinn	Rector
Roark	Ross	Scott	Secrest	Shields
Shoemaker	St. Onge	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Ballard	Bearden	Bray 84	Harlan
Hohulin	Hunter	Lawson	Lograsso	Luetkenhaus
Ridgeway	Scheve	Mr. Speaker		

VACANCIES: 001

## BILL IN CONFERENCE

**CCR HCS SB 758**, relating to sex offender registration, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **CCR HCS SB 758** was adopted by the following vote:

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AYES: 137

Abel	Barnitz	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Black	Bland
Boatright	Bonner	Boucher	Bowman	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Froelker	Gambaro
George	Graham	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Lograsso
Long	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Schwab	Scott	Secrest	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Baker	Ballard	Barnett	Berkstresser	Boykins
Crowell	Crump	Franklin	Fraser	Gaskill
Gratz	Green 73	Hickey	Hilgemann	Lawson
Linton	Luetkenhaus	Monaco	O'Toole	Richardson
Scheve	Seigfreid	Williams	Wright	Mr. Speaker

VACANCIES: 001

On motion of Representative Hosmer, **CCS HCS SB 758** was truly agreed to and finally passed by the following vote:

AYES: 137

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Curls	Daus	Davis	Dempsey	Dolan

Enz	Fares	Farnen	Foley	Fraser
Froelker	Gambaro	George	Graham	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Hendrickson	Hohulin
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Lograsso	Long
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Baker	Ballard	Boykins	Cooper	Crump
Cunningham	Franklin	Gaskill	Gratz	Green 73
Harlan	Henderson	Hickey	Hilgemann	Holand
Lawson	Linton	Luetkenhaus	Monaco	O'Toole
Richardson	Scheve	Smith	Williams	Mr. Speaker

VACANCIES: 001

Representative Clayton declared the bill passed.

### THIRD READING OF SENATE JOINT RESOLUTION

**HCS SJR 24**, relating to term limits, was taken up by Representative Farnen.

Representative Walton offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Joint Resolution No. 24, Page 1, Section 8, Line 1, by inserting “**consecutive**” after “eight”; and

Further amend said House Joint Resolution, Section 8, Page 1, Line 2, by inserting “**consecutive**” after “sixteen”.

Representative Walton moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Farnen, **HCS SJR 24** was adopted.

On motion of Representative Farnen, **HCS SJR 24** was read the third time and passed by the following vote:

AYES: 098

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Bearden	Berkowitz	Berkstresser	Black	Bland
Boucher	Bowman	Boykins	Bray 84	Brooks
Burton	Campbell	Carnahan	Clayton	Cooper
Copenhaver	Crump	Curls	Daus	Davis
Dolan	Fares	Farnen	Fraser	Gambaro
George	Graham	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Hosmer	Johnson 61	Jones	Kelly 27
Kelly 36	Legan	Liese	Long	Lowe
May 149	Mays 50	McKenna	Merideth	Monaco
Moore	Myers	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Ransdall	Rector
Reinhart	Relford	Reynolds	Rizzo	Robirds
Ross	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Wagner	Walker	Walton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 051

Barnett	Bartle	Behnen	Boatright	Burcham
Byrd	Champion	Cierpiot	Crawford	Crowell
Cunningham	Dempsey	Enz	Froelker	Gaskill
Green 15	Griesheimer	Hanaway	Hendrickson	Holt
Hunter	Jetton	Johnson 90	Jolly	Kelley 47
Kelly 144	King	Linton	Lograsso	Luetkemeyer
Marble	Mayer	Miller	Murphy	Naeger
Nordwald	Phillips	Purgason	Quinn	Reid
Richardson	Ridgeway	Roark	Scheve	Schwab
Scott	Shoemaker	St. Onge	Vogel	Whorton
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Ballard	Bonner	Britt	Foley	Franklin
Gratz	Hoppe	Koller	Lawson	Luetkenhaus
Marsh	Troupe	Ward		

VACANCIES: 001

Representative Clayton declared the bill passed.

Representative Hohulin requested a verification of the roll call on the motion to third read and pass **HCS SJR 24**.

Speaker Pro Tem Abel assumed the Chair.

### THIRD READING OF SENATE BILL

**HCS SS SCS SB 675**, relating to elections, was taken up by Representative Seigfreid.

Representative Seigfreid offered **HS HCS SS SCS SB 675**.

Representative Seigfreid offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.074, Page 9, Lines 21-24, by deleting all of said lines and inserting in lieu thereof the following:

**“upgrade or improve the voting process or equipment. Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may promulgate rules to”; and**

Further amend said substitute, Section 115.076, Page 11, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

**“Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may promulgate rules to”; and**

Further amend said substitute, Section 115.098, Page 18, Lines 2-4, by deleting all of said lines and inserting in lieu thereof the following:

**“dollars per hour. Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may”.**

On motion of Representative Seigfreid, **House Amendment No. 1** was adopted.

Representative Davis offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 31, Section 115.157, Line 7, by inserting after the word “a” the following: **“state or federal”**.

Representative Relford offered **House Substitute Amendment No. 1 for House Amendment No. 2**.



*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 31, Section 115.157, Line 7, by inserting after the word “a” the following: “**local, state or federal**”.

On motion of Representative Relford, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Skaggs offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.126, Page 22, Line 16, by deleting “**August 31**” and inserting in lieu thereof “**December 31**”.

On motion of Representative Skaggs, **House Amendment No. 3** was adopted.

Representative Scheve offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.420, Page 71, Line 22, by inserting a period (.) at the end of said line; and

Further amend said section, Page 71, by deleting Lines 23-24; and

Further amend said section, Page 72, by deleting Line 1 and Lines 6-12.

Representative Scheve moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Abel	Baker	Barnitz	Barry 100	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Carnahan	Clayton	Copenhaver
Crump	Daus	Foley	Franklin	Fraser
Gambaro	George	Green 15	Harding	Haywood
Hickey	Hilgemann	Hollingsworth	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Liese	Mays 50
O'Connor	Overschmidt	Paone	Relford	Rizzo
Scheve	Shelton	Smith	Thompson	Treadway
Troupe	Villa	Wagner	Walker	Walton
Ward	Williams	Wilson 25	Wilson 42	

NOES: 089

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Campbell	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Froelker	Gaskill	Gratz	Griesheimer
Hampton	Hanaway	Hegeman	Henderson	Hendrickson
Holand	Holt	Hoppe	Hunter	Jetton
Kelly 144	Kelly 36	King	Koller	Legan
Linton	Lograsso	Long	Lowe	Luetkemeyer
Marble	Marsh	May 149	Mayer	Merideth
Miller	Moore	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Reynolds
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Skaggs	St. Onge	Surface	Townley
Vogel	Whorton	Willoughby	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 019

Ballard	Graham	Green 73	Hagan-Harrell	Harlan
Hartzler	Hohulin	Kelley 47	Kelly 27	Lawson
Luetkenhaus	McKenna	Monaco	Murphy	O'Toole
Richardson	Shoemyer	Van Zandt	Mr. Speaker	

VACANCIES: 001

Representative Williams offered **House Amendment No. 5**.

**House Amendment No. 5** was withdrawn.

Representative Walton offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 86, Section 115.493, Line 2, by inserting after all of said line the following:

"115.607. 1. No person shall be elected or shall serve as a member of a county committee who is not, for one year next before [his] **the person's** election, both a registered voter of and a resident of the county and the committee district from which [he] **the person** is elected if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken. Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the membership of a county committee of each established political party shall consist of a man and a woman elected from each township or ward in the county.

2. In each county of the first [class] **classification** containing the major portion of a city which has over three hundred thousand inhabitants, two members of the committee, a man and a woman, shall be elected from each ward in the city. Any township entirely contained in the city shall have no additional representation on the county committee. The election authority for the county shall, **not later than six months after the decennial census has been reported to the President of the United States**, divide the most populous township outside the city into eight subdistricts of contiguous and compact territory and as nearly equal in population as practicable. The subdistricts shall be numbered

from one upward consecutively, which numbers shall, insofar as practicable, be retained upon reapportionment. Two members of the county committee, a man and a woman, shall be elected from each such subdistrict. Four members of the committee, two men and two women, shall be elected from each other township outside the city.

3. In any city which has over three hundred thousand inhabitants, the major portion of which is located in a county [of the first class] with a charter form of government, for the portion of the city located within such county and notwithstanding [the provisions of] section 82.110, RSMo, it shall be the duty of the election authority, **not later than six months after the decennial census has been reported to the President of the United States**, to divide such cities into not less than twenty-four nor more than twenty-five wards after each decennial census. Wards shall be so divided that the number of inhabitants in any ward shall not exceed any other ward of the city and within the same county, by more than five percent, measured by the number of the inhabitants determined at the preceding decennial census. [Changes of ward or precinct lines shall not affect the terms of office of incumbent party committeemen or committeewomen elected from districts as constituted at the time of their election.]

4. In each county of the first [class] **classification** containing a portion, but not the major portion, of a city which has over three hundred thousand inhabitants, ten members of the committee, five men and five women, shall be elected from the district of each state representative wholly contained in the county in the following manner: **Within six months** after each legislative reapportionment, the election authority shall divide each legislative district wholly contained in the county into five committee districts of contiguous territory as compact and as nearly equal in population as may be; two members of the committee, a man and a woman, shall be elected from each committee district. The election authority shall divide the area of the county located within legislative districts not wholly contained in the county into similar committee districts; two members of the committee, a man and a woman, shall be elected from each committee district.

5. In each city not situated in a county, two members of the committee, a man and a woman, shall be elected from each ward.

6. In all [first class] counties with a charter form of government and a population of over nine hundred thousand inhabitants, the county committee persons shall be elected from each township. **Within ninety days after August 28, 2002, and within six months after each decennial census has been reported to the President of the United States, the election authority shall divide the county into twenty-eight compact and contiguous townships containing populations as nearly equal in population to each other as is practical.**

7. **If any election authority has failed to adopt a reapportionment plan by the deadline set forth in this section, the county commission, sitting as a reapportionment commission, shall within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward, or precinct lines shall not affect the terms of office of incumbent party committee members elected from districts as constituted at the time of their election."**; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Walton, **House Amendment No. 5** was adopted.

Representative Wilson (42) offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.427, Page 73, Line 1, by deleting "**or**" and inserting the following after all of said line:

**"(5) A copy of a current utility bill, bank statement, government check, paycheck or other government document that contains the name and address of the voter; or";** and

Further amend said section, Page 73, Line 2, by deleting "**(5)**" and inserting in lieu thereof "**(6)**".

Representative Seigfreid offered **House Substitute Amendment No. 1 for House Amendment No. 6**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.427, Page 73, Line 3, by inserting "**other identification approved by federal law**" immediately after "section".

On motion of Representative Seigfreid, **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted.

Representative Bowman offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 9, Section 115.074, Line 18, by inserting after the number "**115.074.**" the following:

**"1. There is hereby created the "Election Activities Federal Grant Administration Board" to administer the grant programs created in subsection 2 of this section and in sections 115.076, 115.098, 115.801, and 115.803. The board shall consist of the secretary of state, the lieutenant governor, two members of the senate, one from each major political party, selected by the president pro tem of the senate, two members of the house of representatives, one from each major political party, selected by the speaker of the house of representatives, and two members of any local election authority, neither of which shall be members of the same local election authority or members of local election authorities within the same county."; and renumber remaining subsections accordingly; and**

Further amend said bill, Page 9, Section 115.074, Line 19, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**board**"; and

Further amend said bill, Page 9, Section 115.074, Line 22, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**board**"; and

Further amend said bill, Page 9, Section 115.074, Line 24, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**board**"; and

Further amend said bill, Page 10, Section 115.076, Line 14, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 11, Section 115.076, Line 12, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 11, Section 115.076, Line 14, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 17, Section 115.098, Line 21, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 18, Section 115.098, Line 2, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 18, Section 115.098, Lines 3 to 5, by deleting all of said lines and inserting in lieu thereof the following: "**fund according to the provisions established for the grants by federal law and regulation, and may promulgate rules to effectuate this section.**"; and

Further amend said bill, Page 87, Section 115.801, Line 15, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 87, Section 115.801, Line 17, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 87, Section 115.803, Line 19, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said bill, Page 87, Section 115.803, Line 23, by deleting the words "**secretary of state**" and inserting in lieu thereof the following: "**election activities federal grant administration board**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Seigfreid offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.159, Page 33, Line 8, by deleting "**115.247**" and inserting in lieu thereof "**115.427**"; and

Further amend said substitute, Section 115.126, Page 22, Lines 16-19, by deleting the following:

**"Not later than August first of each year thereafter, each election authority shall submit to the secretary of state a plan and funding request to implement the provisions of this section."**

On motion of Representative Seigfreid, **House Substitute Amendment No. 1 for House Amendment No. 7** was adopted.

Representative Long offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.429, Page 77, Lines 2 and 6, by inserting the following after "115.223":

**"The election authority or the circuit court shall not allow a person to vote unless the person provides sufficient evidence that he or she has complied with the voter registration requirements in this chapter."**

Representative Scheve offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

Representative Long raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 8** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Long moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Cunningham
Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Gratz	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Hunter
Jetton	Kelly 144	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shields	St. Onge	Surface	Townley
Vogel				

NOES: 070

Barnitz	Barry 100	Berkowitz	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Green 15	Hagan-Harrell	Hampton	Harding
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Lowe	Merideth
Monaco	O'Connor	Overschmidt	Paone	Ransdall
Relford	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Villa	Walker	Walton
Whorton	Williams	Willoughby	Wilson 25	Wilson 42

PRESENT: 000

ABSENT WITH LEAVE: 026

Abel	Baker	Ballard	Crawford	Crowell
Green 73	Harlan	Holand	Kelley 47	Koller
Lawson	Liese	Luetkenhaus	Mays 50	McKenna
Naeger	Nordwald	O'Toole	Reynolds	Richardson
Shoemaker	Van Zandt	Wagner	Ward	Wright
Mr. Speaker				

VACANCIES: 001

**HCS SS SCS SB 675, with HS, as amended, pending**, was laid over.

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**HCS SCS SB 916** - Fiscal Review and Government Reform (Fiscal Note)

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 24**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HS HCS HB 1962, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HS HCS HB 1962, as amended**: Senators Klarich, Gibbons, Loudon, Mathewson and Caskey.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SB 895, as amended**, and has taken up and passed **CCS HS HCS SB 895**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SCS SBs 915, 710 & 907, as amended**: Senators Westfall, Russell, Klindt, Staples and Goode.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**: Senators Westfall, Bentley, Klindt, Caskey and Coleman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SCS SB 1026, as amended**: Senators Kenney, Sims, Rohrbach, Dougherty and Stoll.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1898**, entitled:

An act to amend chapter 338, RSMo, by adding thereto eleven new sections relating to a tax on licensed retail pharmacies in this state, with an emergency clause and an expiration date.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 1:00 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caitlin Dulle, Kelsey Reimler, Parker Joseph Breeden and Skylar Kathleen Gaw.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2029 - Representatives Copenhaver and Seigfreid  
House Resolution No. 2030 - Representative Kelly (36)  
House Resolution No. 2031 - Representative Riback Wilson (25)  
House Resolution No. 2032  
and  
House Resolution No. 2033 - Representative Reid  
House Resolution No. 2034 - Representative Davis  
House Resolution No. 2035 - Representatives Liese and Vogel  
House Resolution No. 2036 - Representative McKenna  
House Resolution No. 2037 - Representative Gambaro

### COMMITTEE REPORT

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SBs 894, 975 & 927 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HBs 1270 & HB 2032, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HB 1748, as amended**, and grants the House a conference thereon.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate request the House not bind its conferees to **HA 2 to HS#2 HCS SS SCS SBs 969, 673 & 855, as amended.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SBs 1086 & 1126**, and has taken up and passed **CCS HCS SCS SBs 1086 & 1126.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1508**, entitled:

An act to repeal sections 226.540, 226.550, 226.573, 226.580 and 226.585, RSMo, and to enact in lieu thereof five new sections relating to highway beautification.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS HB 1748, as amended**: Senators Steelman, Klindt, Cauthorn, Johnson and Caskey.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SCS SB 680, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 718** and has taken up and passed **HCS SB 718.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SS#2 SCS SBs 984 & 985**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SJR 24** and has taken up and passed **HCS SJR 24.**

## **SUPPLEMENTAL CALENDAR**

May 15, 2002

### **SENATE BILL FOR THIRD READING**

HCS SS#2 SCS SB 1279, 1162 & 1164 - Foley

### THIRD READING OF SENATE BILL

**HCS SS SCS SB 675, with HS, as amended, pending**, relating to elections, was again taken up by Representative Seigfreid.

Representative Scheve offered **House Amendment No. 9**.

#### *House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, by inserting in the appropriate location the following:

“115.133. 1. Except as provided in subsection 2 of this section, any citizen of the United States who is a resident of the state of Missouri and seventeen years and six months of age or older shall be entitled to register and to vote in any election which is held on or after his eighteenth birthday.

2. No person who is adjudged incapacitated shall be entitled to register or vote. No person shall be entitled to vote:

- (1) While confined under a sentence of imprisonment;
- (2) While on probation or parole after conviction of a felony, until finally discharged from such probation or parole; or
- (3) After conviction of a felony or misdemeanor connected with the right of suffrage.

**3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote, unless the voter is an intrastate new resident or an interstate new resident, as defined in section 115.275.**

115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered **to vote in the jurisdiction of his or her residence** no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, **unless the voter is an intrastate new resident or an interstate new resident, as defined in section 115.275**. In no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall present a valid Missouri drivers license or other form of personal identification at the time of registration.

**3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote, unless the voter is an intrastate new resident or an interstate new resident, as defined in section 115.275.”; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Scheve, **House Amendment No. 9** was adopted.

Representative Riback Wilson (25) offered **House Amendment No. 10**.

#### *House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 65, Section 115.283, Line 6, by inserting after all of said line the following:

“115.284. 1. There is hereby established an absentee voting process to assist persons with permanent disabilities in the exercise of their voting rights.

2. The local election authority shall send an application to participate in the absentee voting process set out in this section to any registered voter residing within the election authority's jurisdiction upon request.

3. Upon receipt of a properly completed application, the election authority shall enter the voter's name on a list of voters qualified to participate as absentee voters pursuant to this section.

4. The application to participate in the absentee voting process shall be in substantially the following form:  
State of ..... County (City) of ..... I,..... (print applicant's name), declare that I am a resident and registered voter of ..... County, Missouri, and am permanently disabled. I hereby request that my name be placed on the election authority's list of voters qualified to participate as absentee voters pursuant to section 115.284, and that I be delivered an absentee ballot application for each election in which I am eligible to vote.

.....  
Signature of Voter

.....  
.....  
Voter's Address

5. **Not earlier than six weeks before an election but prior to the fourth Tuesday prior to an election,** [The] **the** election authority shall deliver to each voter qualified to participate as absentee voters pursuant to this section an absentee ballot application [for each election in which] **if** the voter is eligible to vote **in that election**. If the voter returns the absentee request application to the election authority not later than 5:00 p.m. on the Wednesday before an election and has retained the necessary qualifications to vote, the election authority shall provide the voter with an absentee ballot pursuant to this chapter.

6. The election authority shall remove from the list of voters qualified to participate as absentee voters pursuant to this section any voter who:

- (1) Asks to be removed from the list;
- (2) Dies;
- (3) Becomes disqualified from voting pursuant to the provisions of chapter 115; or
- (4) No longer resides at the address of his or her voter registration.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Riback Wilson (25), **House Amendment No. 10** was adopted.

Representative Seigfreid offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 72, Section 115.427, Line 23, by inserting the following after all of said line:

**“(4) A copy of a current utility bill, bank statement, government check, paycheck or other government document that contains the name and address of the voter:”;** and

Further amend said section, Page 73, Line 2, by deleting “(5)” and inserting in lieu thereof “(6)”;

Further amend said section, Page 72, Line 24, by deleting “(4)” and inserting in lieu thereof “(5)”.

Representative Bray offered **House Substitute Amendment No. 1 for House Amendment No. 11**.

*House Substitute Amendment No. 1*  
*for*  
*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 73, Section 115.427, Lines 4 to 9, by deleting all of said lines and inserting in lieu thereof the following:

**"Completion of a secretary of state-approved affidavit signed by a voter who is without personal identification at the polling place shall be acceptable voter identification upon a comparison of the voter's signature on the affidavit with the precinct register that satisfies an election judge that the voter signing the affidavit is the voter whose name appears on the precinct register. The secretary"; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bray moved that **House Substitute Amendment No. 1 for House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 007

Boucher	Bray 84	Franklin	Hilgemann	Shelton
Williams	Wilson 25			

NOES: 137

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bowman	Boykins
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Fares	Farnen	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 42
Wright	Mr. Speaker			

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PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Ballard	Bonner	Burton	Enz
Foley	Fraser	Green 73	Harlan	Henderson
Hickey	Hohulin	Holand	Hosmer	Lawson
McKenna	Reynolds	Ridgeway		

VACANCIES: 001

On motion of Representative Seigfreid, **House Amendment No. 11** was adopted.

Representative Johnson (61) offered **House Amendment No. 12**.

Representative Seigfreid raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Sanders Brooks offered **House Amendment No. 12**.

Representative Seigfreid raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Clayton offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675 by inserting the following in the appropriate location:

“115.755. A statewide presidential preference primary shall be held on the first Tuesday after the first Monday in [March] **February** of each presidential election year.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Clayton, **House Amendment No. 12** was adopted.

Representative Ransdall offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 50, Section 115.277, Line 4, by inserting “**active duty military**” before “federal”; and

Further amend said line by inserting brackets around “federal”; and

Further amend House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Page 50, Line 5, by inserting opening and closing brackets ([ ]) around “in any election”; and

Further amend said section, Page 50, Line 6, by deleting all of said line and inserting in lieu thereof the following:

“this state may vote **only** in the election **a presidential and vice presidential electors, United States senator and representative in Congress** even if the person it not”.

On motion of Representative Ransdall, **House Amendment No. 13** was adopted.

Representative Lograsso offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, by inserting at the appropriate location the following:

"115.507. 1. Not later than the second Tuesday after the election, the verification board shall issue a statement announcing the results of each election held within its jurisdiction and shall certify the returns to each political subdivision and special district submitting a candidate or question at the election. The statement shall include a categorization of the number of regular and absentee votes cast in the election, and how those votes were cast; provided however, that absentee votes shall not be reported separately where such reporting would disclose how any single voter cast his or her vote. When absentee votes are not reported separately the statement shall include the reason why such reporting did not occur. Nothing in this section shall be construed to require the election authority to tabulate absentee ballots by precinct on election night.

2. The verification board shall prepare the returns by drawing an abstract of the votes cast for each candidate and on each question submitted to a vote of people in its jurisdiction by the state and by each political subdivision and special district at the election. The abstract of votes drawn by the verification board shall be the official returns of the election.

3. **Any home rule city with more than four hundred thousand inhabitants and located in more than one county may by ordinance designate one of the election authorities situated partially or wholly within that home rule city to be the verification board that shall certify the returns of such city submitting a candidate or question at any election and shall notify each verification board within the city of that designation by providing each with a copy of such duly adopted ordinance. Not later than the second Tuesday after any election in any city making such a designation, each verification board within the city shall certify the returns of such city submitting a candidate or question at the election to the election authority so designated by the city to be its verification board, and such election authority shall announce the results of the election and certify the cumulative returns to the city in conformance with subsections 1 and 2 of this section not later than ten days thereafter.**

4. Not later than the second Tuesday after each election at which the name of a candidate for nomination or election to the office of president of the United States, United States senator, representative in Congress, governor, lieutenant governor, state senator, state representative, judge of the circuit court, secretary of state, attorney general, state treasurer, or state auditor, or at which an initiative, referendum, constitutional amendment or question of retaining a judge subject to the provisions of article V, section 29 of the state constitution, appears on the ballot in a jurisdiction, the election authority of the jurisdiction shall mail or deliver to the secretary of state the abstract of the votes given in its jurisdiction, by polling place or precinct, for each such office and on each such question. If mailed, the abstract shall be enclosed in a strong, sealed envelope or envelopes. On the outside of each envelope shall be printed: "Returns of election held in the county of ..... (City of St. Louis, Kansas City) on the ..... day of ....., ....., ", etc."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 14** was adopted.

Representative Paone offered **House Amendment No. 15.**

*House Amendment No. 15*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, by inserting the following in the appropriate location:

“115.365. 1. The nominating committee authorized to select a candidate for nomination or election to office [under the provisions of] **pursuant to** section 115.363 shall be one of the following:

- (1) To select a candidate for county office, the nominating committee shall be the county committee of the party;
  - (2) To select a candidate for state representative, the nominating committee shall be the legislative district committee of the party;
  - (3) To select a candidate for state senator, the nominating committee shall be the senatorial district committee of the party;
  - (4) To select a candidate for circuit court judge not subject to the provisions of article V, section 25 of the state constitution, the nominating committee shall be the judicial district committee of the party;
  - (5) To select a candidate for representative in Congress, the nominating committee shall be the congressional district committee of the party;
  - (6) To select a candidate for statewide office, the nominating committee shall be the state committee of the party.
2. After any decennial redistricting, the nominating committee shall be composed from the new districts, and the new district lines shall be used in the selection of a candidate; **provided, however, that members of nominating committees for candidates for special elections to fill vacancies conducted pursuant to section 21.130, RSMo, shall be from the old districts.**

115.367. 1. In the event that the boundaries of a district have been altered, or a new district established for a candidate to be selected by a party committee since the last election in which a party candidate ran for such office, the members of the nominating committee shall be the members of the various nominating committees for that office, as provided in section 115.365 who reside within the altered or new district; **provided, however, that members of nominating committees for candidates for special elections to fill vacancies conducted pursuant to section 21.130, RSMo, shall be from the old districts.** The chairman of the nominating committee shall be the committee chairman of the county which polled the highest vote for the party candidate for governor within the area to be represented at the last gubernatorial election.

2. In the event that a candidate is to be selected by a party committee of a new political party which has not yet elected committeemen and committeewomen in the manner provided by law, the chairman of the nominating committee shall be the provisional chairman of the party for the state, or if the political party is formed for a district or political subdivision less than the state, the chairman of the nominating committee shall be the provisional chairman of the party for such district or political subdivision. The chairman of the nominating committee shall appoint additional members of the nominating committee, not less than four in number.

3. In the event that a candidate is to be selected for nomination or election to an office by a new political party which has elected committeemen and committeewomen in the manner provided for established political parties, the members of the nominating committee shall be the same as provided in section 115.365.”; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Paone, **House Amendment No. 15** was adopted.

Representative Shields offered **House Amendment No. 16.**

Representative Long raised a point of order that **House Amendment No. 16** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Portwood offered **House Amendment No. 16**.

Representative Seigfreid raised a point of order that **House Amendment No. 16** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Seigfreid, **HS HCS SS SCS SB 675, as amended**, was adopted.

On motion of Representative Seigfreid, **HS HCS SS SCS SB 675, as amended**, was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Johnson 61

PRESENT: 000



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ABSENT WITH LEAVE: 008

Ballard	Boykins	Brooks	Foley	Hickey
Hohulin	Reid	Shelton		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 001

Johnson 61

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker	Ballard	Boykins	Britt	Brooks
Foley	Hickey	Hohulin	Jolly	Kelly 27
Mays 50	Ransdall	Troupe	Wright	

VACANCIES: 001

**SB 713**, relating to non-compete clauses for physicians, was taken up by Representative Hosmer.

Representative Johnson (90) offered **House Amendment No. 1**.

Representative Britt assumed the Chair.

Representative Hosmer raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Kreider resumed the Chair.

Representative Scheve offered **House Amendment No. 1**.

Representative Hosmer raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Scheve offered **House Amendment No. 1**.

Representative Hosmer raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Richardson offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND Senate Bill No. 713, Page 1, Section 334.113, Line 6, by deleting all the words after the word “with” on Lines 6 and 7, and replacing with the words “**a hospital or physician group practice.**”.

On motion of Representative Richardson, **House Amendment No. 1** was adopted by the following vote:

AYES: 119

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Black
Bland	Boatright	Bonner	Bowman	Bray 84
Burcham	Burton	Byrd	Campbell	Carnahan
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis

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Dempsey	Dolan	Enz	Fares	Froelker
Gambaro	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Hollingsworth	Holt	Hunter	Jetton	Johnson 61
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	May 149	Mayer	McKenna	Merideth
Miller	Moore	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Roark	Ross	Schwab	Scott
Secrest	Seigfreid	Shoemyer	Skaggs	St. Onge
Surface	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Whorton	Willoughby	Wilson 42	Wright	

NOES: 033

Behnen	Berkstresser	Boucher	Boykins	Farnen
Franklin	Fraser	Gaskill	George	Graham
Hagan-Harrell	Harlan	Holand	Hoppe	Hosmer
Johnson 90	Kelly 27	Marsh	Monaco	Murphy
O'Toole	Rizzo	Robirds	Scheve	Selby
Shelton	Shoemaker	Smith	Thompson	Ward
Williams	Wilson 25	Mr. Speaker		

PRESENT: 002

Champion	Shields
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ABSENT WITH LEAVE: 008

Ballard	Britt	Brooks	Crump	Foley
Hickey	Long	Mays 50		

VACANCIES: 001

Representative Crowell offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND Senate Bill No. 713, Page 2, Section 334.113, Lines 20 and 21, by striking the words “within one year of termination of the contract or employment”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Crowell, **House Amendment No. 2** was adopted.

Representative Champion offered **House Amendment No. 3.**

Representative Hosmer raised a point of order that **House Amendment No. 3** amends previously amended material and is improperly drafted.

The Chair ruled the point of order well taken.

Representative Byrd offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND Senate Bill No. 713, Page 2, Section 334.113, by adding a new subpart 6 as follows:

**“6. All physicians subject to a covenant not to compete shall be, for liability purposes, considered an employee of the hospital to which they have agreed not to compete with regards to all actions or omissions occurring at said hospital. This subpart shall apply to all covenant whenever entered into by the parties”.**

On motion of Representative Byrd, **House Amendment No. 3** was adopted.

Representative Hosmer moved that **SB 713, as amended**, be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 032

Abel	Barry 100	Behnen	Boucher	Britt
Clayton	Copenhaver	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Green 73	Harlan	Holand	Hosmer	Kelly 27
Marsh	Naeger	O'Connor	O'Toole	Paone
Richardson	Robirds	Selby	Surface	Ward
Wilson 25	Mr. Speaker			

NOES: 121

Baker	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Berkowitz	Berkstresser	Black	Bland
Boatright	Bonner	Bowman	Burcham	Burton
Byrd	Campbell	Carnahan	Cierpiot	Cooper
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Froelker	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Nordwald	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Whorton	Williams	Willoughby	Wilson 42
Wright				

PRESENT: 002

Champion                      Shields

ABSENT WITH LEAVE: 007

Ballard                      Boykins                      Bray 84                      Brooks                      Hickey  
Lowe                      Monaco

VACANCIES: 001

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SS HB 1748:** Representatives Ransdall, Relford, Willoughby, Hegeman and Rector

**SS SCS HB 1270:** Representatives Gratz, Relford, Williams, Legan and Burcham

Speaker Pro Tem Abel resumed the Chair.

### **THIRD READING OF SENATE BILL**

**HCS SB 856**, relating to property development, was taken up by Representative Rizzo.

Representative Rizzo offered **HS HCS SB 856**.

Representative Green (73) offered **House Amendment No. 1**.

**House Amendment No. 1** was withdrawn.

Representative Smith offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting in the appropriate location the following:

“[644.018. In any contested case or judicial proceeding filed after January 1, 1998, involving surface water in any flood-prone area, if any defendant has obtained and fully complied with a permit from a political subdivision which has enacted orders or ordinances as required by the Federal Emergency Management Agency as a prerequisite to participation in the National Flood Insurance Program, and which political subdivision has jurisdiction, pursuant to the zoning laws of this state or the laws and regulations of the Federal Emergency Management Agency, over the area in dispute, then the proper permitting and compliance with all conditions of such permitting of such project shall be conclusive proof that the project is a reasonable use and meets any reasonable-use test imposed by law or by a court.]”;  
and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Smith moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Moore offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting in the appropriate location the following:

**"Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey a permanent easement on property owned by the state in the County of Callaway to the City of Fulton. The easement to be conveyed is more particularly described as follows:**

**A 20' permanent easement located in the east half of the southwest quarter and in the northwest quarter of the southeast quarter of Section 16, T47N, R9W of the 5th Principal Meridian, in Fulton, Callaway County, Missouri, more particularly described as follows:**

Commencing at the section corner common to Sections 16, 17, 20, 21; Thence S87E22'59"E, along the south line of the southwest quarter of the southwest quarter of Section 16, 1237.50 feet, said point being N87E22'59"W, 82.50 feet from the southwest corner of the southeast quarter of the southwest quarter of said Section 16; Thence N1E41'00"E, along the west line of a unrecorded survey by RLS #1188, dated December, 1979, and a Quitclaim Deed recorded in Book 349, Page 762 of the Callaway County Recorder's Office, Fulton, Missouri, 1033.47 feet to the south right-of-way line of Missouri State Route "O"; Thence S88E55'31"E, along the south right-of-way line of said Missouri State Route "O", 607.20 feet to the P.C. station (18+43.4) of a curve to the left having a radius of 1939.86 feet, a arc length of 13.87 feet, a chord bearing of S89E07'48"E, 13.87 feet; Thence leaving said Missouri State Route "O" right-of-way S2E36'19"W, along an existing fence being the west line of the Missouri State Hospital property as described in said Quitclaim Deed, 795.77 feet to the intersection of the centerline of a 20' permanent easement and POINT OF BEGINNING; Thence along said centerline a curve to the right having a radius of 100.00 feet, a arc length of 89.34 feet, a chord bearing of N61E10'18"E, 86.40 feet; Thence N86E15'05"E, 35.00 feet; Thence along a curve to the left having a radius of 95.00 feet, a arc length of 148.23 feet, a chord bearing of N41E33'04"E, 133.65 feet and the point of reverse curve; Thence along a curve to the right having a radius of 95.00 feet, a arc length of 38.59 feet, a chord bearing of N8E29'14"E, 38.32 feet; Thence N20E07'26"E, 149.70 feet; Thence along a curve to the left having a radius of 200.00 feet, a arc length of 115.02 feet, a chord bearing of N3E38'56"E, 113.44 feet; Thence N12E49'34"W, 155.68 feet; Thence along a curve to the right having a radius of 95.00 feet, a arc length of 90.50 feet, a chord bearing of N14E27'52"E, 87.12 feet; Thence N41E45'18"E, 128.67 feet; Thence along a curve to the right having a radius of 95.00 feet, a arc length of 57.37 feet, a chord bearing of N59E03'23"E, 56.51 feet; Thence N76E21'28"E, 41.89 feet; Thence along a curve to the left having a radius of 35.00 feet, a arc length of 39.72 feet, a chord bearing of N43E50'43"E, 37.62 feet to the south right-of-way line of Missouri State Route "O" at station 22+70.45 AH; Thence entering said Route "O" right-of-way and continuing along said curve to the left, a arc length of 13.41 feet, a chord bearing of N0E21'24"E, 13.33 feet; Thence N10E37'11"W, 38.95 feet; Thence along a curve to the right having a radius of 35.00 feet, a arc length of 8.04 feet, a chord bearing of N4E02'02"W, 8.03

feet to the north right-of-way line of Missouri State Route "O" at station 22+74.05 AH.; Thence leaving said Route "O" right-of-way and continuing along said curve to the right, a arc length 35.27 feet, a chord bearing of N31E25'15"E, 33.80 feet; Thence N60E17'24"E, 194.94 feet; Thence along a curve to the right having a radius of 150.00 feet, a arc length of 93.88 feet, a chord bearing of N78E13'09"E, 92.35 feet; Thence S83E51'07"E, 374.88 feet more or less to the west right-of-way line of Wood Street and being 66.20 feet more or less north of the north right-of-way line of Missouri State Route "O" and the end of this easement, containing 0.925 acre, more or less.

Also an additional temporary construction easement 10 feet either side of the 20 foot permanent easement described above.

Except that part lying in the Missouri State Route "O" right-of-way.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Moore, **House Amendment No. 2** was adopted.

Representative Green (73) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting in the appropriate location the following:

"99.805. As used in sections 99.800 to [99.865] **99.873**, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding

personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6) "Gambling establishment", an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

**(7) "High unemployment", unemployment in the census block group or contiguous group of block groups in which the redevelopment project is located of at least one and one-half times that of the metropolitan statistical area in which the area is located or, one and one-half times the unemployment rate of nonmetropolitan counties if the area is not located in a metropolitan statistical area;**

**(8) "Low fiscal capacity", per capita assessed valuation of property in the municipality of less than sixty percent of the entire county in which it is located, or, in unincorporated areas, when the per capita assessed valuation of property in the school district is less than sixty percent of the entire county in which it is located;**

**(9) "Moderate income", either a Missouri municipality within a metropolitan statistical area which has a population of at least one thousand five hundred and median household income of under ninety percent of the median household income for the metropolitan statistical area, according to the last decennial census, or a United States census block group or contiguous group of block groups within a metropolitan statistical area which has a population of at least one thousand five hundred, and each block group having a median household income of under ninety percent of the median household income for the metropolitan area in Missouri, according to the last decennial census. In addition, the definition shall include municipalities not within a metropolitan statistical area, with a median household income of under ninety percent of the median household income for the nonmetropolitan areas in Missouri according to the last decennial census or a census block group or contiguous group of block groups which has a population of at least one thousand five hundred, and each block group having a median household income of under ninety percent of the median household income for the nonmetropolitan areas of Missouri, according to the last decennial census;**

[(7)] **(10) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;**

[(8)] **(11) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;**

[(9)] **(12) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;**

[(10)] **(13) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;**



[(11)] **(14)** "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, RSMo, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(12)] **(15)** "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(13)] **(16)** "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(14)] **(17)** "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
- (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (j) Payments in lieu of taxes;

**(18) "Retail", any establishment possessing a retail sales license and responsible for the collection of sales taxes pursuant to the provisions of section 144.080, RSMo;**

**(19) "Retail redevelopment project", any development project within a redevelopment area, as defined in this section, where more than thirty-three percent of the total estimated redevelopment project costs are devoted to the construction, reconstruction, or expansion of retail establishments or of privately-owned infrastructure or facilities ancillary to sales at retail;**

[(15)] **(20)** "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(16)] **(21)** "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(17)] **(22)** "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; [and]

[(18)] **(23)** "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs,

the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision [and], an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes

which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861, RSMo. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031, RSMo, until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X, of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, RSMo, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, or effective January 1, 1998, taxes levied for the purpose of public transportation pursuant to section 94.660, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, RSMo, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, RSMo, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221, RSMo, at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to **blighted areas located in distressed communities pursuant to section 135.530, RSMo**, blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, RSMo, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the aggregate annual appropriation of the new state revenues for redevelopment areas exceed fifteen million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. All personnel and other costs incurred by the department of economic development for the administration and operation of subsections 4 to 12 of this section shall be paid from the state general revenue fund. On an annual basis, the general revenue fund shall be reimbursed for the full amount of such costs by the developer or developers of the project or projects for which municipalities have made tax increment financing applications for the appropriation of new state revenues, as provided for in subdivision (1) of subsection 10 of this section. The amount of costs charged to each developer shall be based upon the percentage arrived at by dividing the monetary amount of the application made by each municipality for a particular project by the total monetary amount of all applications received by the department of economic development.

**99.866. 1. Except as provided in subsection 2 of this section, sections 99.866 to 99.872 shall apply to any city not within a county, any county with a charter form of government and with more than one million inhabitants, any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants, any county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants, any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, any county of the first classification without a charter form of government and with more than**

ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but less than thirty-nine thousand inhabitants, any county of the fourth classification with more than fifty-five thousand six hundred but less than fifty-five thousand seven hundred inhabitants, and any county of the third classification without a township form of government and with more than seventeen thousand eight hundred but less than seventeen thousand nine hundred inhabitants.

2. Any redevelopment project consisting solely of public infrastructure improvements on public land requiring two million dollars or less in tax increment financing, wherein the bonds for such project will be paid off in seven years or less, shall be exempt from the provisions of sections 99.866 to 99.872. However, no "stringing" of projects shall be allowed. No exempt project pursuant to this section shall be combined with another exempt project pursuant to this section for a period of five years.

3. Any redevelopment project for which eligible project redevelopment costs are to be paid from that portion of the total economic activity taxes and payments in lieu of taxes imposed by the municipality only, and real or potential revenues from no other taxing jurisdictions are involved, are exempt from the provisions of sections 99.866 to 99.872.

99.867. 1. The municipality and any proposed redevelopment area shall meet the requirements of section 99.810 and this section. In addition, if the proposed redevelopment project is a retail redevelopment project, it must be in a redevelopment area where:

(1) The host municipality or, for unincorporated areas, the host school district has low fiscal capacity; or

(2) The census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area have high unemployment; or

(3) The municipality, census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area are characterized by moderate income.

2. Tax increment financing shall not be used for more than thirty percent of the total estimated redevelopment costs of a project unless the redevelopment is in a municipality, census block group or group of block groups with a median household income less than seventy percent of that of the metropolitan area, a distressed community as defined in section 135.530, RSMo, a federal enterprise zone or a federal empowerment zone. Tax increment financing shall not be used to develop sites in which twenty-five percent or more of the area is vacant and has not previously been developed or qualifies as "open space" pursuant to section 67.900, RSMo, or is presently being used for agricultural or horticultural purposes.

3. If the majority of the proposed redevelopment project is located in an area meeting the requirements of low fiscal capacity, high unemployment, and moderate income set forth in this section, and if such conditions are documented in an area which is contiguous to but outside of the qualifying area, and is smaller than a census block group, the contiguous area shall be added to the qualifying area.

99.870. Commencing with the first fiscal year in which any municipality receives any payments in lieu of taxes from a redevelopment project and continuing through the last fiscal year in which the municipality receives such payments, the municipality shall pay to any other taxing entities entitled to receive revenue from levies on real property in such municipality, an amount equal to twenty-five percent of the payments in lieu of taxes received by the municipality. This amount shall be divided among the other affected taxing entities on a basis that is proportional to the collections of revenue from real property in the development area to which each such taxing district is entitled during that tax year.

99.871. In addition to the requirements which may apply pursuant to section 99.810, no redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision, an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met, and a study stating that records were reviewed, inspections were made, comparisons were made, or tasks undertaken demonstrating that the property has not been developed through private enterprise over a period of time. Such a study should be signed by a responsible party in the local jurisdiction who is designated as being responsible for the study's representations. The study shall be of sufficient specificity to allow

representatives of the tax increment financing commission or the municipality, or both, to conduct investigations deemed necessary in order to confirm its findings;

(2) An economic feasibility analysis including a pro forma financial statement indicating a return on investment that may be expected without public assistance. The financial statement shall detail any assumptions made, a pro forma statement analysis demonstrating the amount of assistance required to bring the return into a range deemed attractive to private investors, which amount shall be equal to the estimated reimbursable project costs.

99.872. The municipality and the developer shall annually submit information to the department regarding an approved plan for as long as the plan is in effect. The department shall establish reporting requirements by rule promulgated pursuant to chapter 536, RSMo. The department shall submit a report to the governor and the general assembly by December thirty-first of each year. The report shall, at a minimum, identify the number and location of redevelopment areas, quantify public investment in each, and assess the public benefit derived from the redevelopment project.

99.873. Any district in any city not within a county, any county with a charter form of government and with more than one million inhabitants, any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants, any county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants, any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, any county of the first classification without a charter form of government and with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but less than thirty-nine thousand inhabitants, any county of the fourth classification with more than fifty-five thousand six hundred but less than fifty-five thousand seven hundred inhabitants, and any county of the third classification without a township form of government and with more than seventeen thousand eight hundred but less than seventeen thousand nine hundred inhabitants, providing emergency services pursuant to chapter 190 or 321, RSMo, shall be entitled to reimbursement from the special allocation fund for direct costs. However, such reimbursement shall not be less than twenty-five percent nor more than one hundred percent of the district's tax increment.

99.874. The provisions of this act shall apply to all redevelopment projects which are approved by a municipality after the effective date of this act."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Green (73), **House Amendment No. 3** was adopted.

Representative Ostmann offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting at the end of said section, the following:

**"4. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than two hundred eighty thousand inhabitants but with fewer than two hundred eighty-five thousand inhabitants but fewer than two hundred eighty-five thousand inhabitants.";** and

Further amend said page by inserting after all of said line the following:

**“5. This section shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow the aforementioned tax increment financing projects to modify, amend or expand such projects (including redevelopment project costs) by not more than forty percent of such project original projected cost (including redevelopment project costs) as such projects (including redevelopment project costs) existed as of June 30, 2003. And shall allow the aforementioned tax increment financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003.”; and**

Further amend title and enacting clause accordingly.

On motion of Representative Ostmann, **House Amendment No. 4** was adopted.

Representative Treadway offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting at the appropriate location the following:

**"Section 1. Upon any sale of real property for taxes owed, a not-for-profit federally recognized community housing development organization will have three days to match the sales price offered to the county and become the owner of record."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Treadway, **House Amendment No. 5** was adopted.

Representative Berkowitz offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting the following in the appropriate location:

**“Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in the Battle of Athens State Historic Site to the Robert F. French Trust. The property to be conveyed is more particularly described as follows:**

**All that part of the Southwest quarter of section nineteen in Township sixty seven North, Range seven West described in instrument recorded at microfilm drawer 3M card 2156 of the Clark county records being WEST of the following described line. Beginning at the Southeast corner of a tract of land described in instrument recorded at microfilm drawer 9M card 926 of the Clark County records and shown on survey dated February 05, 1999 recorded with the Department of Natural Resources as Document number 750-26794, thence along the south boundary of section nineteen North 87 degrees 03' 25" West 8.0 feet to a fence and the true point of beginning, thence along said fence North 3 degrees 00' 33" East 1139.6 feet, thence North 4 degrees 38' 44" East 956.9 feet to a corner fence post, thence continue North 4 degrees 38' 44" East on a projection of the fence to the low water mark of the Des Moines River.**



2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from the Robert F. French Trust. The property to be conveyed to the department is more particularly described as follows:

All that part of the Southwest quarter of section nineteen in Township sixty seven North, Range seven West described in instrument recorded at microfilm drawer 3M card 2156 of the Clark county records being EAST of the following described line. Beginning at the Southeast corner of a tract of land described in instrument recorded at microfilm drawer 9M card 926 of the Clark County records and shown on survey dated February 05, 1999 recorded with the Department of Natural Resources as Document number 750-26794, thence along the south boundary of section nineteen North 87 degrees 03' 25" West 8.0 feet to a fence and the true point of beginning, thence along said fence North 3 degrees 00'33" East 1139.6 feet, thence North 4 degrees 38' 44" East 956.9 feet to a corner fence post, thence continue North 4 degrees 38' 44" East on a projection of the fence to the low water mark of the Des Moines River.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at Cuivre River State Park to Steve and Ellen Piacentini, husband and wife. The property to be conveyed is more particularly described as follows:

Part of lands located in the County of Lincoln and the State of Missouri, lying in part of the southwest quarter of Section 16 and part of the northwest quarter of Section 21, Township 49 North, Range 1 East of the Fifth Principal Meridian, being all that part north and east of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-65596 and located per survey filed as document # 750-26854 in the records of the Missouri Department of Natural Resources, marking the southeast corner of the northeast quarter of the northwest quarter of said Section 21; thence along the east line of said northeast quarter of the northwest quarter of Section 21, north 00 degrees 51 minutes 55 seconds east, a distance of 890.80 feet to a set 5/8 inch rebar, the TRUE POINT OF BEGINNING of the herein described courses; thence departing said east line north 89 degrees 08 minutes 05 seconds west, a distance of 45.00 feet to a set 5/8 inch rebar, from which a found 3/8 inch rebar bears south 89 degrees 08 minutes 05 seconds east, a distance of 18.1 feet; thence north 00 degrees 51 minutes 55 seconds east, a distance of 489.20 feet to a set 5/8 inch rebar, from which a standard aluminum monument, described in MoDNR document # 600-65595 and located per said survey filed as document # 750-26854, bears south 89 degrees 05 minutes 55 seconds east, a distance of 45.00 feet and a found 1/2 inch rebar with orange plastic cap marked "RLS 1851" bears south 79 degrees 19 minutes 30 seconds east, a distance of 16.1 feet; thence north 89 degrees 05 minutes 55 seconds west, a distance of 155.40 feet to a set 5/8 inch rebar; thence north 00 degrees 54 minutes 05 seconds east, a distance of 53.80 feet to a set 5/8 inch rebar; thence north 89 degrees 05 minutes 55 seconds west, a distance of 409.29 feet to the east line of a tract of land conveyed to Loyd E. Groshong by instrument recorded in Deed Book 220 at page 575 of the Lincoln County land records, marked by a set 5/8 inch rebar, from which a found 1 1/4 inch solid round rod bears north 00 degrees 34 minutes 30 seconds east, a distance of 253.60 feet; thence along the east line of said Groshong tract, south 00 degrees 34 minutes 30 seconds west, a distance of 53.80 feet to the section line between said Sections 16 and 21, marked by a set

5/8 inch rebar, the point of termination of the herein described courses, from which a found 7/8 inch O.D. iron pipe bears south 00 degrees 34 minutes 30 seconds west, a distance of 7.55 feet and a 5/8 inch rebar with aluminum cap, described in MoDNR document # 600-65594 and located per said survey filed as document # 750-26854, bears north 89 degrees 05 minutes 55 seconds west, a distance of 710.45 feet.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Steve and Ellen Piacentini. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Lincoln and the State of Missouri, lying in part of the southwest quarter of Section 16 and part of the northwest quarter of Section 21, Township 49 North, Range 1 East of the Fifth Principal Meridian, being all that part south and west of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-65596 and located per survey filed as document # 750-26854 in the records of the Missouri Department of Natural Resources, marking the southeast corner of the northeast quarter of the northwest quarter of said Section 21; thence along the east line of said northeast quarter of the northwest quarter of Section 21, north 00 degrees 51 minutes 55 seconds east, a distance of 890.80 feet to a set 5/8 inch rebar, the TRUE POINT OF BEGINNING of the herein described courses; thence departing said east line north 89 degrees 08 minutes 05 seconds west, a distance of 45.00 feet to a set 5/8 inch rebar, from which a found 3/8 inch rebar bears south 89 degrees 08 minutes 05 seconds east, a distance of 18.1 feet; thence north 00 degrees 51 minutes 55 seconds east, a distance of 489.20 feet to a set 5/8 inch rebar, from which a standard aluminum monument, described in MoDNR document # 600-65595 and located per said survey filed as document # 750-26854, bears south 89 degrees 05 minutes 55 seconds east, a distance of 45.00 feet and a found 1/2 inch rebar with orange plastic cap marked "RLS 1851" bears south 79 degrees 19 minutes 30 seconds east, a distance of 16.1 feet; thence north 89 degrees 05 minutes 55 seconds west, a distance of 155.40 feet to a set 5/8 inch rebar; thence north 00 degrees 54 minutes 05 seconds east, a distance of 53.80 feet to a set 5/8 inch rebar; thence north 89 degrees 05 minutes 55 seconds west, a distance of 409.29 feet to the east line of a tract of land conveyed to Loyd E. Groshong by instrument recorded in Deed Book 220 at page 575 of the Lincoln County land records, marked by a set 5/8 inch rebar, from which a found 1 1/4 inch solid round rod bears north 00 degrees 34 minutes 30 seconds east, a distance of 253.60 feet; thence along the east line of said Groshong tract, south 00 degrees 34 minutes 30 seconds west, a distance of 53.80 feet to the section line between said Sections 16 and 21, marked by a set 5/8 inch rebar, the point of termination of the herein described courses, from which a found 7/8 inch O.D. iron pipe bears south 00 degrees 34 minutes 30 seconds west, a distance of 7.55 feet and a 5/8 inch rebar with aluminum cap, described in MoDNR document # 600-65594 and located per said survey filed as document # 750-26854, bears north 89 degrees 05 minutes 55 seconds west, a distance of 710.45 feet.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 3. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at Washington State Park to Rachel DeClue and Patricia Westoff. The property to be conveyed is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part enclosed by the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey filed as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29; thence north 88 degrees 06 minutes 30 seconds west, a distance of 807.05 feet to a found 1 inch round rod (as called for in Deed Book 125 at page 61 of the land records of Washington County), lying within the right-of-way of Missouri Route 21; thence north 39 degrees 15 minutes 30 seconds west, a distance of 711.15 feet to a found 3/4 inch smooth round rod (as called for in Deed Book 125 at page 202 of said land records); thence north 80 degrees 28 minutes 30 seconds east, a distance of 7.0 feet to the easterly right-of-way of said Route 21, marked by a set 5/8 inch rebar, being the TRUE POINT OF BEGINNING of the herein described courses; thence continuing north 80 degrees 28 minutes 30 seconds east, a distance of 413.00 feet to a set 5/8 inch rebar; thence south 14 degrees 20 minutes 00 seconds east, a distance of 295.15 feet to a set 5/8 inch rebar; thence south 87 degrees 00 minutes 00 seconds west, a distance of 290.00 feet to said easterly right-of-way, from which a found t-post bears south 87 degrees 00 minutes 00 seconds west, a distance of 7.7 feet; thence northwesterly along said easterly right-of-way to the true point of beginning.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Rachel Declue and Patricia Westoff. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part north and east of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey filed as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29 and being the TRUE POINT OF BEGINNING of the herein described courses; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found 1/2 inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence north 14 degrees 20 minutes 00 seconds west, a distance of 295.15 feet to a set 5/8 inch rebar; thence south 80 degrees 28 minutes 30 seconds west, a distance of 413.00 feet to the easterly right-of-way of Missouri Route 21, marked by a set 5/8 inch rebar, said rebar being the point of termination, from which a found 3/4 inch smooth round rod (as called for in Deed Book 125 at page 202 of the land records of Washington County) bears south 80 degrees 28 minutes 30 seconds west, a distance of 7.0 feet and a found 1/2 inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906, bears north 39 degrees 20 minutes 00 seconds west, a distance of 110.90 feet.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at Washington State Park to Oscar and Margaret Rulo. The property to be conveyed is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part south and west of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey filed as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found ½ inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906, being the TRUE POINT OF BEGINNING of the herein described courses; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence south 87 degrees 00 minutes 00 seconds west, a distance of 290.00 feet to the point of termination at the easterly right-of-way of Missouri Route 21, from which a found t-post bears south 87 degrees 00 minutes 00 seconds west, a distance of 7.7 feet.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Oscar and Margaret Rulo. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part north and east of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey tiled as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29 and being the TRUE POINT OF BEGINNING of the herein described courses; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found ½ inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence north 14 degrees 20 minutes 00 seconds west, a distance of 295.15 feet to a set 5/8 inch rebar; thence south 80 degrees 28 minutes 30 seconds west, a distance of 413.00 feet to the easterly right-of-way of Missouri Route 21, marked by a set 5/8 inch rebar, said rebar being the point of termination, from which a found 3/4 inch smooth round rod (as called for in Deed Book 125 at page 202 of the land records of Washington County) bears south 80 degrees 28 minutes 30 seconds west, a distance of 7.0 feet and a found ½ inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906, bears north 39 degrees 20 minutes 00 seconds west, a distance of 110.90 feet.

3. The attorney general shall approve the form of the instrument of conveyance.

**Section 5. 1. The director of the department of natural resources is hereby authorized and empowered to grant and convey certain land in Jefferson County described as follows:**

**Parcel 11: Part of a larger tract of 42.26 acres located and being all that part of the South one-half of the northeast quarter of Section 20, Township 43 North, Range 5 East, in Jefferson County, Missouri and described as follows: Beginning at an iron pipe in the South line of the Northeast Quarter of said Section 20, being South 88 degrees 25 minutes East, distance 507.41 feet from the center of said Section 20; thence leaving the said South line of said Northeast Quarter of said Section 20, North 30 minutes East 159.11 feet to an iron pipe; thence North 88 degrees 25 minutes East 588.47 feet to a point in the center-line of a branch from which an iron pipe bears South 88 degrees 25 minutes West, distance 146.66 feet; thence along the said center-line of said branch South 27 degrees 02 minutes West 181.29 feet to a point from which an iron pipe bears South 88 degrees 25 minutes West, distance 65.60 feet; thence leaving the said center-line of said branch and along the South line of said Northeast Quarter of said Section 20 South 88 degrees 25 minutes West 507.41 feet to the point of beginning, containing two (2) acres.**

**Also an easement 20 feet wide lying East of and South of the following described line: Beginning at a point located in the North line of the above described tract said point being South 88 degrees 25 minutes West 75 feet more or less from the Northeast corner; thence North 28 degrees 48 minutes East 760 feet, more or less to a point; thence South 49 degrees 45 minutes East to the West right-of-way line of Romain Creek County Road.**

**2. Tammy L. Edwards shall have the right of first refusal to purchase the property described in subsection 1 of this section based on the fair market value of the property as determined by an appraiser contracted with by the department of natural resources. In the event that Tammy L. Edwards is unable or unwilling to purchase the property for the price determined by the department of natural resources, the department of natural resources shall then sell the property at a public auction under such terms and conditions as the department shall set.**

**3. The attorney general shall approve the form of the instrument of conveyance.”; and**

Further amend the title, enacting clause, and intersectional references accordingly.

On motion of Representative Berkowitz, **House Amendment No. 6** was adopted.

Representative Gratz offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856 by inserting the following section in the appropriate location:

**"Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in the County of Cole to the General Services Administration or to the Missouri Development Finance Board. The property to be conveyed is more particularly described as follows:**

**All of outlots nos. 46, 47 & 49 of the City of Jefferson, Cole County, Missouri, except that part of the aforesaid outlot no. 47 that lies within the public right-of-ways (by use) of the streets currently known as Riverside Drive and Capital Avenue Extension.**

**2. Consideration for the conveyance shall be the transfer of property of like value to the state of Missouri.**

**3. The attorney general shall approve the form of the instrument of conveyance.”; and**

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Gratz, **House Amendment No. 7** was adopted.

Representative Lograsso offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, Page 42, Section 135.259, Line 22, by inserting after said line all of the following:

**“Section B. None of the funds appropriated pursuant to section A of this act shall be used for casinos or casino-related purposes.”; and**

Further amend said bill in the title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 8** was adopted.

Representative Whorton offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting at the appropriate location the following:

**"Section 1. 1. As used in this section the following terms shall mean:**

**(1) "Biodiesel", fuel as defined in ASTM Standard D-6751 or its subsequent standard specifications for biodiesel fuel (B100) blend stock for distillate fuels;**

**(2) "Qualified biodiesel producer", a facility that produces biodiesel, is registered with the United States Environmental Protection Agency according to the requirements of 40 CFR 79, and at least fifty-one percent is owned by agricultural producers actively engaged in agricultural production for commercial purposes.**

**2. The "Missouri Qualified Biodiesel Producer Incentive Fund" is hereby created and subject to appropriations with funds, other than general revenue funds, shall be used to provide economic subsidies to Missouri qualified biodiesel producers pursuant to this section. The director of the department of agriculture shall administer the fund pursuant to this section.**

**3. A Missouri qualified biodiesel producer shall be eligible for a monthly grant from the fund, except that a Missouri qualified biodiesel producer shall only be eligible for the grant for a total of sixty months unless such producer during those sixty months failed, due to a lack of appropriations, to receive the full amount from the fund for which they were eligible, in which case such producers shall continue to be eligible for up to twenty-four additional months or until they have received the maximum amount of funding for which they were eligible during the original sixty-month time period. The amount of the grant is determined by calculating the estimated gallons of qualified biodiesel produced during the preceding month from Missouri agricultural products, for the succeeding calendar month as certified by the department of agriculture, and applying such figure to the per-gallon incentive credit established in this subsection. Each Missouri qualified biodiesel producer shall be eligible for a total grant in any fiscal year equal to thirty cents per gallon for the first fifteen million gallons of qualified biodiesel produced from Missouri agricultural products in the fiscal year. All such qualified biodiesel produced by a Missouri qualified biodiesel producer in excess of fifteen gallons shall not be applied to the computation of a grant pursuant to this subsection. The department of agriculture shall pay all grants for a particular month by the fifteenth day after receipt and approval of the application described in subsection 4 of this section.**

**4. In order for a Missouri qualified biodiesel producer to obtain a grant from the fund, an application for such funds shall be received no later than fifteen days following the first day of the month for which the**

grant is sought. The application shall include:

- (1) The location of the Missouri qualified biodiesel producer;
- (2) The average number of citizens of Missouri employed by the Missouri qualified biodiesel producer in the preceding month, if applicable;
- (3) The number of bushel equivalents of Missouri agricultural commodities used by the Missouri qualified biodiesel producer in the production of biodiesel in the preceding month;
- (4) The number of gallons of qualified biodiesel the producer manufactures during the month for which the grant is applied;
- (5) A copy of the qualified biodiesel producer license required pursuant to subsection 5 of this section, name and address of surety company, and amount of bond to be posted pursuant to subsection 5 of this section; and
- (6) Any other information deemed necessary by the department of agriculture to adequately ensure that such grants shall be made only to Missouri qualified biodiesel producers.

5. The director of the department of agriculture, in consultation with the department of revenue, shall promulgate rules and regulations necessary for the administration of the provisions of this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Marble raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Whorton, **House Amendment No. 9** was adopted.

Representative Hohulin offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting in the appropriate location the following:

**"Section 1. The owner of a recreational facility consisting of at least 30 acres and a motorcycle track and located in a third class county with a township form of government and a population of at least eighteen thousand but less than twenty thousand inhabitants shall be eligible for a credit against such owner's income tax of eighty percent of the cost of improvements made to such facility after the effective date of this section, up to a maximum credit of ten thousand dollars.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hohulin moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Hosmer offered **House Amendment No. 11.**

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for Senate Bill No. 856, by inserting at the appropriate location the following:

**"67.1442. Upon the written request of any real property owner within a city having a population of at least one hundred forty-nine thousand, located in a county of the first classification without a charter form of government and with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants, the governing body of the municipality may hold a public hearing for the removal of real property from such district or moved from one zone designation of the district to another zone designation of the district and such real property may be removed from such district or moved from one zone designation of a district to another zone designation of the same district, provided that:**

- (1) The board consents to the removal of such property;**
- (2) The district can meet its obligations without the revenues generated by or on the real property proposed to be removed from the district or moved from one zone designation of the district to another zone designation of the same district; and**
- (3) The public hearing is conducted in the same manner as required by section 67.1431 with notice of the hearing given in the same manner as required by section 67.1431 and such notice shall include:**
  - (a) The date, time and place of the public hearing;**
  - (b) The name of the district;**
  - (c) The boundaries by street location, or other readily identifiable means if no street location exists of the real property proposed to be removed from the district or moved from one zone of designation of the district to another zone of designation of the same district, and a map illustrating the boundaries of the existing district and the real property proposed to be removed; and**
  - (d) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.**

135.207. 1. (1) Any city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county and any city not within a county, which includes an existing state designated enterprise zone within the corporate limits of the city may each, upon approval of the local governing authority of the city and the director of the department of economic development, designate up to three satellite zones within its corporate limits. A prerequisite for the designation of a satellite zone shall be the approval by the director of a plan submitted by the local governing authority of the city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.

(2) Any Missouri community classified as a village whose borders lie adjacent to a city with a population in excess of three hundred fifty thousand inhabitants as described in subdivision (1) of this subsection, and which has within the corporate limits of the village a factory, mining operation, office, mill, plant or warehouse which has at least three thousand employees and has an investment in plant, machinery and equipment of at least two hundred million dollars may, upon securing approval of the director and the local governing authorities of the village and the adjacent city which contains an existing state designated enterprise zone, designate one satellite zone to be located within the corporate limits of the village, such zone to be in addition to the six authorized in subdivision (1) of this subsection.

(3) Any geographical area partially contained within any city not within a county and partially contained within any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, which area is comprised of a total population of at least four thousand inhabitants but not more than seventy-two thousand inhabitants, and which area consists of at least one fourth class city, and has within its boundaries a military reserve facility and a utility pumping station having a capacity of ten million cubic feet, may, upon securing approval of the director and the appropriate local governing authorities as provided for in section 135.210, be designated as a satellite zone, such zone to be in addition to the six authorized in subdivision (1) of this subsection.

**(4) Any city with a population of at least one hundred fifty thousand inhabitants that is located in a county of the first classification without a charter form of government with a population of more than two hundred forty thousand which includes an existing state designated enterprise zone within the corporate limits of the city may, upon approval of the local governing authority of the city and the director of the department of economic development, designate one satellite zone within its corporate limits which shall be on land owned by the city which contains a wastewater treatment plant with a treatment capacity of five million six hundred thousand cubic feet per day and an electric power plant having a capacity of at least two hundred seventy-five**



**megawatts. A prerequisite for the designation of the satellite zone shall be the approval by the director of a plan submitted by the local governing authority of the city describing how the satellite zone corresponds to the city's overall enterprise zone strategy.**

2. For satellite zones designated pursuant to the provisions of subdivisions (1) and (3) of subsection 1 of this section, the satellite zones, in conjunction with the existing state-designated enterprise zone shall meet the following criteria:

(1) The area is one of pervasive poverty, unemployment, and general distress, or one in which a large number of jobs have been lost, a large number of employers have closed, or in which a large percentage of available production capacity is idle. For the purpose of this subdivision, "large number of jobs" means one percent or more of the area's population according to the most recent decennial census, and "large number of employers" means over five;

(2) At least fifty percent of the residents living in the area have incomes below eighty percent of the median income of all residents within the state of Missouri according to the last decennial census or other appropriate source as approved by the director;

(3) The resident population of the existing state designated enterprise zone and its satellite zones must be at least four thousand but not more than seventy-two thousand at the time of designation;

(4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than sixty percent of the statewide percentage of residents employed on a full-time basis.

3. A qualified business located within a satellite zone shall be subject to the same eligibility criteria and can be eligible to receive the same benefits as a qualified facility in sections 135.200 to 135.255."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hosmer, **House Amendment No. 11** was adopted.

On motion of Representative Rizzo, **HS HCS SB 856, as amended**, was adopted.

On motion of Representative Rizzo, **HS HCS SB 856, as amended**, was read the third time and passed by the following vote:

AYES: 112

Baker	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Behnen	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Copenhaver	Crawford	Crowell	Curls
Davis	Dempsey	Dolan	Fares	Farnen
Franklin	Fraser	Gambaro	George	Gratz
Green 73	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Lawson
Linton	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo

Roark	Scheve	Scott	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Townley	Treadway	Villa	Walker
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright			

NOES: 003

Boatright	Daus	Hohulin
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PRESENT: 000

ABSENT WITH LEAVE: 047

Abel	Ballard	Bearden	Berkowitz	Boykins
Brooks	Campbell	Clayton	Cooper	Crump
Cunningham	Enz	Foley	Froelker	Gaskill
Graham	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Hoppe	Johnson 61	Koller	Legan
Liese	Lograsso	Luetkenhaus	Monaco	Murphy
Naeger	Nordwald	Paone	Reid	Robirds
Ross	Schwab	Secrest	Shelton	Smith
Thompson	Troupe	Van Zandt	Vogel	Wagner
Walton	Mr. Speaker			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SS SCS SBs 670 & 684**, relating to protection of the elderly, was taken up by Representative Harlan.

Representative Harlan offered **HS HCS SS SCS SBs 670 & 684**.

Representative Britt offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Page 8, Section 191.910, Line 7 of said page, by inserting after all of said line the following:

"197.305. As used in sections 197.300 to 197.366, the following terms mean:

(1) "Affected persons", the person proposing the development of a new institutional health service, the public to be served, and health care facilities within the service area in which the proposed new health care service is to be developed;

(2) "Agency", the certificate of need program of the Missouri department of health and senior services;

(3) "Capital expenditure", an expenditure by or on behalf of a health care facility which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance;

(4) "Certificate of need", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project sufficiently satisfies the criteria prescribed for such projects by sections 197.300 to 197.366;

(5) "Develop", to undertake those activities which on their completion will result in the offering of a new institutional health service or the incurring of a financial obligation in relation to the offering of such a service;

(6) "Expenditure minimum" shall mean:

(a) For beds in existing or proposed health care facilities licensed pursuant to chapter 198, RSMo, and long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo, six hundred thousand dollars in the case of capital expenditures, or four hundred thousand dollars in the case of major medical equipment, provided, however, that prior to January 1, [2003] **2008**, the expenditure minimum for beds in such a facility and long-term care beds in a hospital described in section 198.012, RSMo, shall be zero, subject to the provisions of subsection 7 of section 197.318;

(b) For beds or equipment in a long-term care hospital meeting the requirements described in 42 CFR, Section 412.23(e), the expenditure minimum shall be zero; and

(c) For health care facilities, new institutional health services or beds not described in paragraph (a) or (b) of this subdivision one million dollars in the case of capital expenditures, excluding major medical equipment, and one million dollars in the case of medical equipment;

(7) "Health care facilities", hospitals, health maintenance organizations, tuberculosis hospitals, psychiatric hospitals, intermediate care facilities, skilled nursing facilities, residential care facilities I and II, kidney disease treatment centers, including freestanding hemodialysis units, diagnostic imaging centers, radiation therapy centers and ambulatory surgical facilities, but excluding the private offices of physicians, dentists and other practitioners of the healing arts, and Christian Science sanatoriums, also known as Christian Science Nursing facilities listed and certified by the Commission for Accreditation of Christian Science Nursing Organization/Facilities, Inc., and facilities of not-for-profit corporations in existence on October 1, 1980, subject either to the provisions and regulations of Section 302 of the Labor-Management Relations Act, 29 U.S.C. 186 or the Labor-Management Reporting and Disclosure Act, 29 U.S.C. 401-538, and any residential care facility I or residential care facility II operated by a religious organization qualified pursuant to Section 501(c)(3) of the federal Internal Revenue Code, as amended, which does not require the expenditure of public funds for purchase or operation, with a total licensed bed capacity of one hundred beds or fewer;

(8) "Health service area", a geographic region appropriate for the effective planning and development of health services, determined on the basis of factors including population and the availability of resources, consisting of a population of not less than five hundred thousand or more than three million;

(9) "Major medical equipment", medical equipment used for the provision of medical and other health services;

(10) "New institutional health service":

(a) The development of a new health care facility costing in excess of the applicable expenditure minimum;

(b) The acquisition, including acquisition by lease, of any health care facility, or major medical equipment costing in excess of the expenditure minimum;

(c) Any capital expenditure by or on behalf of a health care facility in excess of the expenditure minimum;

(d) Predevelopment activities as defined in subdivision (13) hereof costing in excess of one hundred fifty thousand dollars;

(e) Any change in licensed bed capacity of a health care facility which increases the total number of beds by more than ten or more than ten percent of total bed capacity, whichever is less, over a two-year period;

(f) Health services, excluding home health services, which are offered in a health care facility and which were not offered on a regular basis in such health care facility within the twelve-month period prior to the time such services would be offered;

(g) A reallocation by an existing health care facility of licensed beds among major types of service or reallocation of licensed beds from one physical facility or site to another by more than ten beds or more than ten percent of total licensed bed capacity, whichever is less, over a two-year period;

(11) "Nonsubstantive projects", projects which do not involve the addition, replacement, modernization or conversion of beds or the provision of a new health service but which include a capital expenditure which exceeds the expenditure minimum and are due to an act of God or a normal consequence of maintaining health care services, facility or equipment;

(12) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality thereof, including a municipal corporation;

(13) "Predevelopment activities", expenditures for architectural designs, plans, working drawings and specifications, and any arrangement or commitment made for financing; but excluding submission of an application for a certificate of need."; and

Further amend said bill, Page 10, Section 197.317, Line 23 of said page, by deleting the number "**2007**" and inserting in lieu thereof the number "**2008**"; and

Further amend said bill, Page 11, Section 197.317, Line 5 of said page, by deleting the phrase "[January 1, 2004] **July 1, 2007**" and inserting in lieu thereof the following: "January 2, [2004] **2009**"; and

Further amend said bill, Page 12, Section 197.318, Line 14 of said page, by deleting the number "**2007**" and inserting in lieu thereof the number "**2008**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Britt, **House Amendment No. 1** was adopted.

Representative Johnson (61) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Section 630.167, Page 87, Line 14, by inserting after said line all of the following:

**“630.900. 1. The director of the department of mental health, in collaboration with the departments of social services, health and senior services, elementary and secondary education, higher education, and corrections, shall design, coordinate, and implement a state suicide prevention plan using an evidence-based public health approach focused on suicide prevention.**

**2. The director shall:**

**(1) Promote the use of employee assistance and workplace programs to support employees with depression and other psychiatric illnesses and substance abuse disorders, and refer them to services. In promoting such programs, the director shall collaborate with employer and professional associations, unions, and safety councils;**

**(2) Promote the use of student assistance and educational programs to support students with depression and other psychiatric illnesses and substance abuse disorders. In promoting such programs, the director shall collaborate with educators, administrators, students and parents with emphasis on identification of the risk factors associated with suicide;**

**(3) Provide training and technical assistance to local public health and other community-based professionals to provide for integrated implementation of best practices for preventing suicides;**

**(4) Coordinate with federal, state, and local agencies to collect, analyze, and annually issue a public report on Missouri-specific data on suicide and suicidal behaviors; and**

**(5) Conduct periodic evaluations of the impact and outcomes from implementation of the state's suicide prevention plan and each of the activities specified in this section. By July 1, 2004, and each July first of even-numbered years thereafter, the director shall report the results of such evaluations to the chairs of the senate aging, families, and mental health committee and the house children, families, and health committee.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (61), **House Amendment No. 2** was adopted.

Representative Foley offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Page 8, Section 191.910, Line 7, by inserting after said line the following:

**“197.305. As used in sections 197.300 to [197.366] **197.367**, the following terms mean:**

**(1) "Affected persons", the person proposing the development of a new institutional health service, the public**

to be served, and health care facilities within the service area in which the proposed new **institutional** health [care] service is to be developed;

(2) "Agency", the certificate of need program of the Missouri department of health **and senior services**;

(3) "Capital expenditure", an expenditure by or on behalf of a health care facility which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance;

(4) "Certificate of need", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project sufficiently satisfies the criteria prescribed for such projects by sections 197.300 to [197.366] **197.367**;

(5) "Develop", to undertake those activities which on their completion will result in the offering of a new institutional health service or the incurring of a financial obligation in relation to the offering of such a service;

(6) "Expenditure minimum" shall mean:

(a) For beds in existing or proposed health care facilities licensed pursuant to chapter 198, RSMo, and long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo, six hundred thousand dollars in the case of capital expenditures, or four hundred thousand dollars in the case of major medical equipment, provided, however, that prior to January 1, 2003, the expenditure minimum for beds in such a facility and long-term care beds in a hospital described in section 198.012, RSMo, shall be zero, subject to the provisions of subsection 7 of section 197.318;

(b) For beds or equipment in a long-term care hospital meeting the requirements described in 42 CFR, Section 412.23(e), the expenditure minimum shall be zero; and

(c) For health care facilities, new institutional health services or beds not described in paragraph (a) or (b) of this subdivision one million dollars in the case of capital expenditures, excluding major medical equipment, and one million dollars in the case of medical equipment;

(7) "Health care facilities", [hospitals, health maintenance organizations, tuberculosis hospitals, psychiatric hospitals] **long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo, long-term care hospitals or beds in a long-term care hospital meeting the requirements described in 42 CFR Section 412.23(e)**, intermediate care facilities, skilled nursing facilities, residential care facilities I and II, [kidney disease treatment centers, including freestanding hemodialysis units, diagnostic imaging centers, radiation therapy centers and ambulatory surgical facilities.] but excluding [the private offices of physicians, dentists and other practitioners of the healing arts, and] Christian Science sanatoriums, also known as Christian Science Nursing facilities listed and certified by the Commission for Accreditation of Christian Science Nursing Organization/Facilities, Inc., and facilities of not-for-profit corporations in existence on October 1, 1980, subject either to the provisions and regulations of Section 302 of the Labor-Management Relations Act, 29 U.S.C. 186 or the Labor-Management Reporting and Disclosure Act, 29 U.S.C. 401-538, and any residential care facility I or residential care facility II operated by a religious organization qualified pursuant to Section 501(c)(3) of the federal Internal Revenue Code, as amended, which does not require the expenditure of public funds for purchase or operation, with a total licensed bed capacity of one hundred beds or fewer;

(8) "Health service area", a geographic region appropriate for the effective planning and development of **new institutional** health services, determined on the basis of factors including population and the availability of resources, consisting of a population of not less than five hundred thousand or more than three million;

(9) "Major medical equipment", medical equipment used for the provision of medical and other health services;

(10) "New institutional health service":

(a) The development of a new health care facility costing in excess of the applicable expenditure minimum;

(b) The acquisition, including acquisition by lease, of any health care facility[, or major medical equipment costing in excess of the expenditure minimum];

(c) Any capital expenditure by or on behalf of a health care facility in excess of the expenditure minimum;

(d) Predevelopment activities as defined in subdivision (13) hereof costing in excess of one hundred fifty thousand dollars;

(e) Any change in licensed bed capacity of a health care facility which increases the total number of beds by more than ten or more than ten percent of total bed capacity, whichever is less, over a two-year period;

(f) Health services, excluding home health services, which are offered in a health care facility and which were not offered on a regular basis in such health care facility within the twelve-month period prior to the time such services would be offered;

(g) A reallocation by an existing health care facility of licensed beds among major types of service or reallocation of licensed beds from one physical facility or site to another by more than ten beds or more than ten percent of total

licensed bed capacity, whichever is less, over a two-year period;

**(h) A reallocation of hospital beds to long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo, by more than ten beds or ten percent of total licensed bed capacity of the hospital, whichever is less, over a two-year period;**

(11) "Nonsubstantive projects", projects which do not involve the addition, replacement, modernization or conversion of beds or the provision of a new **institutional** health service but which include a capital expenditure which exceeds the expenditure minimum and are due to an act of God or a normal consequence of maintaining health care services, facility or equipment;

(12) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality thereof, including a municipal corporation;

(13) "Predevelopment activities", expenditures for architectural designs, plans, working drawings and specifications, and any arrangement or commitment made for financing; but excluding submission of an application for a certificate of need.

197.310. 1. The "Missouri Health Facilities Review Committee" is hereby established. [The agency shall provide clerical and administrative support to the committee. The committee may employ additional staff as it deems necessary.] **The department of health and senior services shall hire and administratively supervise the clerical and administrative support to the committee.**

2. The committee shall be composed of:

(1) Two members of the senate appointed by the president pro tem, who shall be from different political parties; and

(2) Two members of the house of representatives appointed by the speaker, who shall be from different political parties; and

(3) Five members appointed by the governor with the advice and consent of the senate, not more than three of whom shall be from the same political party.

3. No business of this committee shall be performed without a majority of the full body.

4. The members shall be appointed as soon as possible after September 28, 1979. One of the senate members, one of the house members and three of the members appointed by the governor shall serve until January 1, 1981, and the remaining members shall serve until January 1, 1982. All subsequent members shall be appointed in the manner provided in subsection 2 of this section and shall serve terms of two years.

5. The committee shall elect a chairman at its first meeting which shall be called by the governor. The committee shall meet upon the call of the chairman or the governor.

6. The committee shall review and approve or disapprove all applications for a certificate of need made under sections 197.300 to [197.366] **197.367**. It shall issue reasonable rules and regulations governing the submission, review and disposition of applications.

7. Members of the committee shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

**8. No member of the Missouri health facilities review committee may accept a political donation from any applicant who applies for a certificate of need or review certification for a period of one year after the granting of the certificate of need or review certification or six months prior to requesting a certificate of need or review certification. If a member accepts a donation six months prior to the request for a certificate of need or review certification, it must be returned within ten business days of the filing request made by the applicant.**

9. Notwithstanding the provisions of subsection 4 of section 610.025, RSMo, the proceedings and records of the facilities review committee shall be subject to the provisions of chapter 610, RSMo.

197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to [197.366] **197.367**, the committee shall notify the attorney general, and he shall apply

for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to [197.366] **197.367**.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to **the department of health and senior services for expenditures related to the operation of** the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health **care** facility in its entirety.

15. A certificate of need may be granted to a **health care** facility for an expansion, an addition of services, a new institutional **health** service[, or for a new hospital facility] which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to **health care** facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge.

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the mentally retarded.

[18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility.]

197.317. 1. After July 1, 1983, no certificate of need shall be issued for the following:

(1) Additional residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility beds above the number then licensed by this state;

(2) Beds in a licensed hospital to be reallocated on a temporary or permanent basis to nursing care or beds in a long-term care hospital meeting the requirements described in 42 CFR, Section 412.23(e), excepting those which are not subject to a certificate of need pursuant to paragraphs (e) [and], (g) **and (h)** of subdivision (10) of section 197.305; nor

(3) The reallocation of intermediate care facility or skilled nursing facility beds of existing licensed beds by transfer or sale of licensed beds between a hospital licensed pursuant to this chapter or a nursing care facility licensed pursuant to chapter 198, RSMo; except for beds in counties in which there is no existing nursing care facility. No certificate of need shall be issued for the reallocation of existing residential care facility I or II, or intermediate care facilities operated exclusively for the mentally retarded to intermediate care or skilled nursing facilities or beds.

However, after January 1, 2003, nothing in this section shall prohibit the Missouri health facilities review committee from issuing a certificate of need for additional beds in existing health care facilities or for new beds in new health care facilities or for the reallocation of licensed beds, provided that no construction shall begin prior to January 1, 2004. The provisions of subsections 16 and 17 of section 197.315 shall apply to the provisions of this section.

2. The health facilities review committee shall utilize demographic data from the office of social and economic data analysis, or its successor organization, at the University of Missouri as their source of information in considering applications for new institutional long-term care facilities.

**197.318. 1. The provisions of section 197.317 shall not apply to a residential care facility I, residential care facility II, intermediate care facility or skilled nursing facility only where the department of social services has first determined that there presently exists a need for additional beds of that classification because the average occupancy of all licensed and available residential care facility I, residential care facility II, intermediate care facility and skilled nursing facility beds exceeds ninety percent for at least four consecutive calendar quarters, in a particular county, and within a fifteen-mile radius of the proposed facility, and the facility otherwise appears to qualify for a certificate of need. The department's certification that there is no need for additional beds shall serve as the final determination and decision of the committee. In determining ninety percent occupancy, residential care facility I and II shall be one separate classification and intermediate care and skilled nursing facilities are another separate classification.**

197.326. 1. Any [person] **individual** who is paid either as part of his normal employment or as a lobbyist to support or oppose any project before the health facilities review committee shall register as a lobbyist pursuant to chapter 105, RSMo, and shall also register with the staff of the health facilities review committee for every project in which such person has an interest and indicate whether such person supports or opposes the named project. The registration shall also include the names and addresses of any person, firm, corporation or association that the person registering represents in relation to the named project. Any person violating the provisions of this subsection shall be subject to the penalties specified in section 105.478, RSMo.

2. A member of the general assembly who also serves as a member of the health facilities review committee is prohibited from soliciting or accepting campaign contributions from any applicant or person speaking for an applicant or any opponent to any application or persons speaking for any opponent while such application is pending before the health facilities review committee.

3. Any [person regulated by chapter 197 or 198, RSMo,] **individual who registers pursuant to subsection 1 of this section, any applicant, and any officer, attorney, agent and employee [thereof] of such individual or applicant,** shall not offer to any committee member or to any person employed as staff to the committee, any office, appointment or position, or any present, gift, entertainment or gratuity of any kind or any campaign contribution while such application is pending before the health facilities review committee. Any person guilty of knowingly violating the provisions of this section shall be punished as follows: For the first offense, such person is guilty of a class B misdemeanor; and for the second and subsequent offenses, such person is guilty of a class D felony.

**197.375. As used in sections 197.375 to 197.397, the following terms mean:**

(1) **"Acute care facilities", hospitals, diagnostic imaging centers, radiation therapy centers, ambulatory surgical facilities, short stay specialty units, or facilities designed to house first-time services whether they are in a specific fixed location or a mobile unit;**

(2) **"Affected person", the person proposing the development of a new institutional acute care service, the public to be served, and acute care facilities within the service area in which the proposed new institutional acute care services is to be developed;**

(3) **"Ambulatory surgical center", any public or private establishment operated primarily for the purpose of performing surgical procedures or primarily for the purpose of performing childbirths, and which does not provide services or other accommodations for patients to stay more than twenty-three hours within the establishment, provided, however, that nothing in this definition shall be construed to include the offices of dentists currently licensed pursuant to chapter 332, RSMo;**

[(3)] (4) **"Anesthesia and sedation", the administration to an individual, for any purpose, by any route, moderate or deep sedation as well as general, spinal, or other major regional anesthesia. Anesthesia and sedation does not include local anesthesia;**

[(4)] (5) **"Committee", the Missouri health facilities review committee established in section 197.310;**

[(5)] (6) **"Commonly controlled", the acute care facility transferring the licensed beds and the acute care facility receiving the beds as part of the same control group of entities defined in Section 414(b) and (c) of the Internal Revenue Code, as in effect from time to time; however, a not-for-profit entity will be commonly**



controlled if the transferring acute care facility is the sole corporate member of the acute care facility receiving the transfer, or the acute care facility receiving the transfer is the sole corporate member of the acute care facility transferring the beds, or both the transferring and receiving acute care facilities having the same entity as their sole corporate member, and in all cases, the sole corporate member shall retain sufficient reserve powers to be able to significantly influence the actions and policies of the acute care facilities;

[(6)] (7) "Cost", an expenditure by or on behalf of an acute care facility which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance, except [for] costs to lease property, buildings, or equipment necessary to establish a first-time service or a new institutional acute care service shall be included in the total project cost and any sales tax paid in the process of establishing such first-time service or new institutional acute care service shall be excluded from total project cost;

[(7)] (8) "Develop", to undertake those activities which on their completion will result in the offering of a new institutional acute care service or a first-time service, or the incurring of a financial obligation in relation to the offering of such a service;

[(8)] (9) "Expedited projects", those projects in which:

(a) The person seeking review certification is operating an acute care facility and proposes to develop a new institutional acute care service or first-time service for such facility if the proposed new institutional acute care service or first-time service is a service already being offered in an acute care facility in a contiguous state that does not have certificate of need laws that regulate the service already being offered by the acute care facility in the contiguous state; and

(b) The acute care facility proposing the new institutional acute care service or first-time service is located in a metropolitan statistical area within one hundred miles of the contiguous state in which the acute care facility in which the proposed service already being offered is located;

[(9)] (10) "Filed" or "filing", delivery to the staff of the committee the document or documents an applicant believes constitutes an application and the appropriate application fee;

[(10)] (11) "First-time services", ambulatory surgical center whose equipment and property cost is more than 1.5 million dollars; and

the following regardless of cost, that are proposed in a specific location, including an ambulatory surgical center of a mobile unit:

(a) Magnetic resonance imaging (MRI), positron emission tomography (PET), and linear acceleration (radiation therapy);

(b) Open-heart surgery;

(c) Cardiac catheterization labs;

(d) Lithotripsy units;

(e) Gamma knife;

(f) Gastrointestinal laboratories and endoscopy laboratories, and any other facility, other than a hospital or ambulatory surgical center, where anesthesia and sedation occur;

(g) Compute[d]r tomography technology; or

(h) Other emerging medical equipment and related facilities that when their functionally related components are taken together, the cost exceeds three million dollars;

(11) "Maximum permissible distance":

(a) For an acute care facility located within a metropolitan statistical area, within one mile of the acute care facility's boundary wholly measured within the same county where the existing acute care facility is located;

(b) For an acute care facility located outside a metropolitan statistical area, within five miles of the acute care facility's boundary wholly measured within the same county where the existing acute care facility is located;

(12) "Metropolitan statistical area", as defined by the United States Office of Management and Budget according to standards published in the federal register on March 30, 1990, and as subsequently revised and applied to census bureau data;

(13) "New institutional acute care service":

(a) The development of a new acute care facility without regard to financing methodologies;

(b) The acquisition or development, without regard to financing methodologies, of any first-time service;

(c) Any change in a licensed bed capacity of an acute care service facility that increases the total number of beds by more than ten beds or more than ten percent of total bed capacity, whichever is less, over a two-year period;

(d) A reallocation by an existing hospital of more than fifty licensed beds or more than fifty percent of total licensed bed capacity of the receiving hospital, whichever is less over the lifetime of the license, between two substantially similar hospitals that are related parties or commonly controlled. The total licensed bed capacity of the receiving hospital shall be calculated as of August 28, 2002, or for a hospital licensed after August 28, 2002, the initial date of licensure;

(e) Renovation of an acute care facility in a current location whose cost is over twenty million dollars;

(14) "Nonsubstantive projects", projects that are due to an act of God and do not involve the addition, replacement, modernization, or conversion of beds or the provision of a new institutional acute care service or first-time service, but whose costs would otherwise be reviewable;

(15) "Notification projects":

(a) Emerging medical equipment and related facilities that when their functionally related components are taken together the cost is less than three million dollars;

(b) A reallocation by an existing hospital of fifty or fewer licensed beds or fifty percent or less of total licensed bed capacity of the receiving hospital, whichever is less over the lifetime of the license, between two substantially similar hospitals that are related parties or are commonly controlled;

(c) Renovation of an acute care facility in a current location whose cost is less than twenty million dollars; except that, if the renovation is less than three million dollars, no notification is required;

(d) Nonsubstantive projects;

(e) Projects pursuant to subsection 1 or 2 of section [197.387] 197.384;

(f) Any project pursuant to section 197.390;

(16) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality thereof, including a municipal corporation;

(17) "Related parties", those acute care facilities, regardless of incorporation, which are controlled by, under the control of, or commonly controlled with the acute care facility transferring the licensed beds and the acute care facility receiving the beds;

(18) "Review certification", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project described in sections 197.375 to 197.397 sufficiently satisfies the criteria prescribed for such projects by sections 197.375 to 197.397.

197.378. The health facilities review committee for projects described in sections 197.375 to 197.397 shall:

(1) Review and approve or disapprove all applications for a review certification made pursuant to sections 197.375 to 197.397. The committee shall issue reasonable rules governing the submission, review, and disposition of applications;

(2) Notify the applicant within fifteen days of the date of filing of an application as to the completeness of such application as defined by rule;

(3) Provide written notification to affected persons located within this state at the beginning of a review. The notification may be given through publication of the review schedule in all newspapers of general circulation in the area to be served;

(4) Hold public hearings on all applications when a request in writing is filed by any affected person within thirty days from the date of publication of the notification of review;

(5) Within one hundred days of the filing of any application, issue in writing its findings of fact, conclusions of law, and its approval or denial of the review certification; provided that the committee may grant an extension of not more than thirty days on its own initiative or upon the written request of any affected person. For any expedited project, the health facilities review committee shall, within forty-five days of the filing of any application for an expedited project, issue in writing its findings of fact, conclusions of law, and its approval or denial of the review certification; provided that the committee may grant an extension of not more than twenty days on its own initiative or upon the written request of any affected person;

(6) Send to the applicant a copy of the aforesaid findings, conclusions, and decisions. Copies shall be available to any person upon request;

(7) Consider the needs and circumstances of institutions providing training programs for health personnel;

(8) Consider the predominant ethnic, cultural, or religious compositions of the residents to be served by an acute care facility in considering whether to grant a review certification;

(9) Provide for the availability, based on demonstration of need, of both medical and osteopathic facilities and services to protect the freedom of patient choice; and

(10) Failure by the committee to issue a written decision on an application for review certification within the time required by this section shall constitute approval of and the final administrative action on the application and shall be subject to appeal pursuant to section 197.387 only on the question of approval by operation of law.

197.381. 1. Any person who proposes to develop or offer a new institutional acute care service or a first-time service shall submit a letter of intent to the committee at least thirty days prior to the filing of the application unless:

- (1) The new institutional acute care service:
  - (a) Will wholly replace, within a defined and reasonable time period, an existing acute care facility owned or operated by the person who would be required to submit a letter of intent;
  - (b) Is constructed on property within the maximum permissible distance from such existing acute care facility's boundary; and
  - (c) The license of the existing acute care facility will be terminated or transferred to the new acute care facility and the new acute care facility will be licensed upon approval by the department of health and senior services;
- (2) The first-time service for which the person would otherwise be required to submit a letter of intent is the acquisition, development, or construction of a piece of equipment that:
  - (a) Is a replacement piece of equipment or an additional piece of equipment substantially similar to a piece of equipment for which a certificate of need or a review certificate has already been issued and is currently owned or operated by such person; and
  - (b) Will be placed in the same licensed location or licensed facility as the previously certified piece of equipment.

2. An application fee shall accompany each application for a review certification. The time of filing commences with the receipt of the application and the fee. The fee shall be one thousand dollars or one-tenth of one percent of the total project, whichever is greater. All application fees shall be deposited in the state treasury. The general assembly will appropriate funds to the department of health and senior services for expenditures related to the operation of the health facilities review committee.

197.384. 1. For the purpose of submitting an application for review certification, any person who proposes to develop or offer a new institutional acute care service shall obtain a review certification from the committee prior to the time such services are offered unless the new institutional acute care service:

- (1) Will wholly replace, within a defined and reasonable time period, an existing acute care facility owned or operated by the person who would be required to submit a letter of intent;
- (2) Is constructed on property within the maximum permissible distance from such existing acute care facility's boundary; and
- (3) The license of the existing acute care facility will be terminated or transferred to the new acute care facility and the new acute care facility will be licensed upon approval by the department of health and senior services.

2. Any person who proposes to develop or offer a first-time service shall obtain a review certification from the committee prior to the time such services are offered unless the first-time service for which the person would otherwise be required to submit a letter of intent is the acquisition, development, or construction of a piece of equipment that:

- (1) Is a replacement piece of equipment or an additional piece of equipment substantially similar to a piece of equipment for which a certificate of need or a review certificate has already been issued and is currently owned or operated by such person; and
- (2) Will be placed in the same licensed location or licensed facility as the previously certified piece of equipment.

Any person who proposes to replace a facility described in subdivision (1), (2), or (3) of subsection 1 of this section shall, no later than sixty days immediately prior to the date of the initiation of the construction process to begin replacement, conduct a public hearing regarding the project. Notice of hearing shall be given by publication in major newspapers of general circulation in the area to be served for four consecutive weeks prior to the hearing date. The Missouri facilities review committee shall notify all licensed acute care facilities within the service area in which the proposed new institutional acute care service is to be developed not less than thirty days prior to the hearing date.

4. Any person who proposes to add new, not previously licensed, beds to an existing hospital shall obtain

a review certification, but shall not preclude the addition or transfer of beds without review certification as defined in paragraphs (c) and (d) of subdivision (13) of section 197.375.

5. Any person who proposes to renovate an acute care facility in a current location whose cost is over twenty million dollars shall obtain a review certification.

6. Only those new institution acute care services or first-time services that are found by the committee to meet the health needs of the community served shall be granted a review certification.

7. A review certification shall be issued only for the premises and persons named in the application and is not transferable except by the consent of the committee.

8. Project cost increases, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

9. Periodic reports to the committee shall be required of any applicant who has been granted a review certification until the project has been completed. The committee may order the forfeiture of the review certification upon failure of the applicant to file any such report.

10. A review certification shall be subject to forfeiture for failure to incur capital expenditures within twelve months after the date of the order. The applicant may request two extensions from the committee to avoid forfeiture. In any case, regardless of any extensions that may be granted, if after one year no capital expenditure has been made, the total statewide count of the services in question shall not reflect the units undeveloped.

11. No state agency charged by statute to license or certify acute care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed and is required to have a review certification, without first obtaining a review certification.

12. No state agency shall appropriate or grant funds to or make payment of any funds to any person or acute care facility that has not first obtained every review certification required pursuant to sections 197.375 to 197.397.

13. If any person proposes to develop any new institutional health care service without a review certification as required by sections 197.375 to 197.397, the committee shall notify the attorney general and the attorney general shall seek an injunction or apply for other appropriate legal action in any court of this state against such person.

14. In no event shall a review certification be denied because the applicant refuses to provide abortion services or information.

15. A review certification shall not be required for the transfer of ownership of an existing and operational acute care facility in its entirety or for the conversion by a hospital of mobile first-time service to a first-time service in a permanent fixed location if the hospital previously received a certificate of need or review certificate for the mobile first-time service.

16. A review certification may be granted for something less than that which was sought in the original application.

17. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a review certification shall not be required for the purchase and operation of research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficiency and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a review certification must be obtained for continued use in such facility.

18. The provisions of section 197.326 shall apply to projects described in sections 197.375 to 197.397. 197.387. Within thirty days of the decision of the committee, the applicant may file an appeal pursuant to chapter 621, RSMo. Any subsequent appeal venue shall be the circuit court in the county within which such new institutional acute care service or first-time service is proposed to be developed, or the Cole County circuit court, at the applicant's discretion.

197.390. Review certification is not required for:

(1) Acute care facilities operated by the state. Appropriation of funds to such facilities by the general assembly shall be in compliance and such facilities shall be deemed to have received an appropriate review certification without any fee or charge;

(2) Notification projects pursuant to subdivision (16) of section 197.375 or nonsubstantive projects pursuant to subdivision (15) of section 197.375; except that, any person who wishes to pursue a notification project shall notify the committee in writing advising the committee of the nature of the project, the statutory authorization for classification as a notification project, and submit a verified statement of facts in support of

such classification.

**197.393.** For the purposes of reimbursement pursuant to section 208.152, RSMo, project costs for new institutional acute care services in excess of ten percent of the initial project estimate unless approval was obtained pursuant to subsection 8 of section 197.384 shall not be eligible for reimbursement for the first three years that a facility receives payment for services provided pursuant to section 208.152, RSMo. The initial estimate shall be that amount for which the original review certificate was obtained. Reimbursement for these excess costs after the first three years shall not be made until a review certification has been granted for the excess project costs. The provisions of this section shall apply only to facilities which file an application for a review certification or make application for cost-overrun review of their original application or waiver.

**197.397.** The committee shall have the power to promulgate reasonable rules, regulations, criteria, and standards in conformity with this section and chapter 536, RSMo, to meet the objectives of sections 197.300 to 197.397 including the power to establish criteria and standards to review new types of equipment or service. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 197.300 to 197.397 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. All rulemaking authority delegated prior to August 28, 2002, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 2002, if it fully complied with all applicable provisions of the law. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

[197.311. No member of the Missouri health facilities review committee may accept a political donation from any applicant for a license.]

[197.366. The provisions of subdivision (8) of section 197.305 to the contrary notwithstanding, after December 31, 2001, the term "health care facilities" in sections 197.300 to 197.366 shall mean:

- (1) Facilities licensed under chapter 198, RSMo;
- (2) Long-term care beds in a hospital as described in subdivision (3) of subsection 1 of section 198.012, RSMo;
- (3) Long-term care hospitals or beds in a long-term care hospital meeting the requirements described in 42 CFR, section 412.23(e); and
- (4) Construction of a new hospital as defined in chapter 197.]”; and

Further amend said title accordingly.

Representative Harlan raised a point of order that **House Amendment No. 3** is not germane to the bill and amends previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Foley, **House Amendment No. 3** was adopted.

Representative Graham offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Page 105, Section 3, Line 20, by deleting all of said section; and

Further amend title, enacting clause and intersectional references accordingly.

Representative Willoughby assumed the Chair.

Representative Abel resumed the Chair.

On motion of Representative Graham, **House Amendment No. 4** was adopted by the following vote:

AYES: 082

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Bonner	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Farnen	Froelker	Gaskill
Graham	Gratz	Griesheimer	Hampton	Hanaway
Hartzler	Henderson	Hendrickson	Hohulin	Holt
Jetton	Kelley 47	Kelly 144	Kelly 36	King
Koller	Legan	Liese	Linton	Lograsso
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Paone	Phillips
Portwood	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright	Mr. Speaker			

NOES: 071

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Boucher	Bowman	Bray 84	Campbell
Carnahan	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Foley	Franklin	Fraser
Gambaro	George	Green 15	Hagan-Harrell	Harding
Harlan	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Johnson 61	Johnson 90
Jolly	Jones	Kelly 27	Lowe	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Purgason	Ransdall	Relford	Reynolds
Rizzo	Scheve	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42				

PRESENT: 000

ABSENT WITH LEAVE: 009

Ballard	Boykins	Britt	Brooks	Green 73
Hosmer	Hunter	Lawson	Long	

VACANCIES: 001

Representative Scott offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, by inserting in the appropriate location the following:

**"288.037. 1. The term "employer" shall include any Indian tribe for which service in employment as defined in section 288.034 is performed.**

**2. The term "employment" shall include service performed in the employ of an Indian tribe, as defined in Section 3306(u) of the Federal Unemployment Tax Act (FUTA), provided such service is excluded from "employment" as defined in FUTA solely by reason of Section 3306(c)(7), FUTA, and is not otherwise excluded from "employment" under this chapter. For purposes of this section, the exclusions from employment in subsection 9 of section 288.034 shall be applicable to services performed in the employ of an Indian tribe.**

**3. Benefits based on service in employment defined in this section shall be payable in the same amount, on the same terms, and subject to the same conditions as benefits payable on the basis of other service subject to this chapter. The provisions of subsection 3 of section 288.040 pertaining to services performed at an educational institution while in the employ of an "educational service agency" shall apply to services performed in an educational institution or educational service agency wholly owned and operated by an Indian tribe or tribal unit.**

**4. (1) Indian tribes or tribal units, including subdivisions, subsidiaries, or business enterprises wholly owned by such Indian tribes, subject to this chapter shall pay contributions under the same terms and conditions as all other subject employers, unless they elect to pay into the state unemployment fund amounts equal to the amount of benefits attributable to service in the employ of the Indian tribe. An Indian tribe and all tribal units of such Indian tribe shall be jointly and severally liable for any and all contributions, payments in lieu of contributions, interest, penalties, and surcharges owed by the Indian tribe and all tribal units of such Indian tribe.**

**(2) Indian tribes electing to make payments in lieu of contributions must make such election in the same manner and under the same conditions as provided in subsection 3 of section 288.090 pertaining to state and local governments and nonprofit organizations subject to this chapter. Indian tribes will determine if reimbursement for benefits paid will be elected by the tribe as a whole, by individual tribal units, or by combinations of individual tribal units. Termination of an Indian tribe's coverage pursuant to subdivision (5) of this subsection shall terminate the election of such Indian tribe and any tribal units of such Indian tribe to make payments in lieu of contributions.**

**(3) Indian tribes or tribal units will be billed for the full amount of benefits attributable to service in the employ of the Indian tribe or tribal unit on the same schedule as other employing units that have elected to make payments in lieu of contributions.**

**(4) Any Indian tribe or tribal unit that elects to become liable for payments in lieu of contributions shall be required, prior to the effective date of its election, to post with the division a surety bond issued by a corporate surety authorized to do business in Missouri in an amount equivalent to the contributions or payments in lieu of contributions for which the Indian tribe or tribal unit was liable in the last calendar year in which it accrued contributions or payments in lieu of contributions, or one hundred thousand dollars, whichever amount is the greater, to ensure prompt payment of contributions or payments in lieu of contributions, interest, penalties, and surcharges for which the Indian tribe or tribal unit may be, or becomes, jointly and severally liable pursuant to this chapter.**

**(5) Failure of the Indian tribe or tribal unit to maintain the required surety bond, including the posting of an additional surety bond or a replacement surety bond within ninety days of being directed by the division, will cause services performed for such Indian tribe to not be treated as "employment" for purposes of subsection 2 of this section.**

**(6) The director may determine that any Indian tribe that loses coverage under subdivision (5) of this subsection, may have services performed for such tribe again included as "employment" for purposes of subsection 2 of this section if all contributions, payments in lieu of contributions, penalties, and interest have been paid. Upon reinstatement of coverage under this subdivision, an Indian tribe or any tribal unit may elect, in accordance with the provisions of this subsection, to make payments in lieu of contributions.**

**(7) If an Indian tribe fails to maintain the required surety bond by posting an additional surety bond or a replacement surety bond within ninety days of being directed by the division, the director will immediately notify the United States Internal Revenue Service and the United States Department of Labor.**

**(8) Notices of surety bond deficiency to Indian tribes or their tribal units shall include information that failure to post an additional surety bond or a replacement surety bond within the prescribed time frame:**

**(a) Will cause the Indian tribe to be liable for taxes under FUTA;**

**(b) Will cause the Indian tribe to be excepted from the definition of "employer," as provided in**

subsection 1 of this section, and services in the employ of the Indian tribe, as provided in subsection 2 of this section, to be excepted from "employment".

5. (1) Failure of the Indian tribe or tribal unit to make required payments, including assessments of interest and penalty, within ninety days of receipt of the bill will cause services performed for such Indian tribe to not be treated as "employment" for purposes of subsection 2 of this section.

(2) The director may determine that any Indian tribe that loses coverage under subdivision (1) of this subsection, may have services performed for such tribe again included as "employment" for purposes of subsection 2 of this section if all contributions, payments in lieu of contributions, penalties, and interest have been paid.

(3) If an Indian tribe fails to make payments required under this section, including assessments of interest and penalty, within ninety days of a final notice of delinquency, the director will immediately notify the United States Internal Revenue Service and the United States Department of Labor.

6. Notices of payment and reporting delinquency to Indian tribes or their tribal units shall include information that failure to make full payment within the prescribed time frame:

(1) Will cause the Indian tribe to be liable for taxes under FUTA;

(2) Will cause the Indian tribe to be excepted from the definition of "employer", as provided in subsection 1 of this section, and services in the employ of the Indian tribe, as provided in subsection 2 of this section, to be excepted from "employment".

7. Extended benefits paid that are attributable to service in the employ of an Indian tribe and not reimbursed by the federal government shall be financed in their entirety by such Indian tribe."; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Scott, **House Amendment No. 5** was adopted.

Representative Van Zandt offered **House Amendment No. 6**.

**House Amendment No. 6** was withdrawn.

Representative Kelly (27) offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location the following:

"Section 4. 1. Any skilled nursing facility licensed pursuant to chapter 198, RSMo, that provides health care and related services which are paid to or reimbursed by the state of Missouri to such facility in a total amount in excess of one hundred thousand dollars in a calendar year shall not use any such state moneys for any purpose not treated as an allowable cost under Medicare

2. Any skilled nursing facility that makes expenditures that are not treated as allowable costs under Medicare shall maintain sufficient records to show that no state moneys are used for such expenditures. The facility shall, upon request, provide such records to the division of medical services within the department of social services. Such records shall be subject to audit by the state of Missouri.

3. Any facility subject to this section shall annually submit certification to the division of medical services that no state moneys will be expended for any purpose treated as an allowable cost under Medicare. Any facility that does not submit such annual certification shall be subject to a fine of not less than five hundred dollars and fifty dollars a day for each day such certification is not provided to the division.

4. Any skilled nursing facility that fails to maintain or provide the division with the records required in this section when requested by the division shall be subject to a fine of not less than one thousand dollars and one hundred dollars a day for each day such records are not maintained or provided to the division.

5. Any skilled nursing facility that expends state moneys in violation of this section is liable to the state



for double the amount of any state moneys expended in violation of this section. For purposes of accounting expenditures, if state moneys and other moneys are commingled, any expenditure made for any purpose treated as an allowable cost under Medicare shall be allocated between state moneys and other moneys on a pro rata basis.

6. Any person may file a complaint with the division of medical services if such person believes that a skilled nursing facility is expending state moneys in violation of this section. Upon the filing of such complaint, the director of the division shall, within five business days, direct the facility to produce sufficient records and documentation to show that no state moneys have been or are being expended in violation of this section.

7. Any person who knowingly authorizes the use of state moneys for any purpose prohibited by this section shall be liable to the state for double the amount of such expenditures.

8. Nothing in this section shall be construed as prohibiting any individual from filing a cause of action for a violation of this section.

Section 5. 1. A skilled nursing facility subject to the provisions of this section shall not discharge, demote, threaten, or otherwise discriminate against any individual or employee with respect to compensation, terms, conditions, or privileges of employment because such individual or employee, or any person acting at the request of the employee, provided or attempted to provide information regarding possible violations of section 2 of this act.

2. Any individual, employee, or former employee subject to this section who believes that he or she has been discharged or otherwise discriminated against in violation of this section may file a civil action within three years of the date of such discharge or discrimination.

3. If a court of competent jurisdiction finds by a preponderance of the evidence that a violation of this section has occurred, the court may grant such relief as it may consider appropriate, including but not limited to:

- (1) Reinstatement of the employee to the employee's former position;
- (2) Compensatory damages, costs, and reasonable attorney fees; and
- (3) Other relief to remedy the past discrimination.

4. The protections of this section shall not apply to any individual, employee, or former employee who:

- (1) Deliberately causes or participates in the alleged violation of law or rule; or
- (2) Knowingly or recklessly provides substantially false information to the division of medical services.";

and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kelly (27), **House Amendment No. 6** was adopted.

Representative Clayton offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location the following:

**“198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining senior housing within its corporate limits.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Clayton, **House Amendment No. 7** was adopted.

Representative Dempsey offered **House Amendment No. 8**.

**House Amendment No. 8** was withdrawn.

Representative Portwood offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location the following:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a handling fee of fifteen dollars plus a fee of thirty-five cents per page for copies of documents made on a standard photocopy machine.

2. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of medical record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

3. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

**4. Effective February first of each year, the handling fee and per page fee listed in subsection 1 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for all urban consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted handling and per page fees on the department's Internet website by February first of each year.**

[191.233. The limits provided in section 191.227 shall be increased or decreased on an annual basis effective January first of each year in accordance with the Health Care Financing Administration Market Basket Survey.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 8** was adopted.

Representative Naeger offered **House Amendment No. 9.**

Representative Ladd Baker raised a point of order that **House Amendment No. 9** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Dolan offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location:

**“Section 1. No health care provider, including any corporation which delivers, or purports to deliver, any health care, shall be eligible to receive payments from any medical assistance program, as defined by Section 191.900(7), if an officer or director of such provider has been convicted, in state or federal court, of criminal fraud against a medical assistance program.**

**Section 2. Any official having the authority to prosecute health care fraud and abuse shall also have the authority to seek an injunction prohibiting health care payments in violation of section 1.”; and**

Further amend the title and enacting clause accordingly.

On motion of Representative Dolan, **House Amendment No. 9** was adopted.

Representative Harlan offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 by inserting in the appropriate location the following:

**"Section 1. 1. For purposes of chapters 193, 333, and 436, RSMo, and where not otherwise defined, the term "next of kin" means the following persons in the priority listed if such person is eighteen years of age or older and is mentally competent:**

- (1) Surviving spouse;**
- (2) Any surviving child of the deceased. If a surviving child is less than eighteen years of age and has a legal or natural guardian, such child shall not be disqualified on the basis of the child's age and such child's legal or natural guardian, if any, shall be entitled to serve in the place of the child;**
- (3) Any surviving parent of the deceased. If the deceased was a minor, the surviving parent for purposes of determining next of kin is the parent who had custody of the minor. If the deceased was a minor and the deceased's parents had joint custody, the surviving parent for purposes of determining next of kin is the parent whose home was the minor child's residence for purposes of mailing and education;**
- (4) Any surviving brother or sister of the deceased. If the deceased had more than one brother or sister, then the surviving brother or sister for purposes of determining next of kin is the eldest brother or sister;**
- (5) The next nearest surviving relative of the deceased by consanguinity or affinity;**
- (6) Any person or friend who assumes financial responsibility for the disposition of the deceased's remains if no next of kin assumes such responsibility;**
- (7) The county coroner or medical examiner; provided however that such assumption of responsibility shall not make the coroner, medical examiner, county, or this state financially responsible for the cost of disposition.**

**2. In any civil cause of action against a funeral director or funeral establishment for actions taken regarding the funeral arrangements for a deceased person in their care, the relative fault, if any, of such funeral director or establishment may be reduced if such actions were reasonable and taken in reliance upon a person's claim to be the deceased person's next of kin.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Harlan, **House Amendment No. 10** was adopted.

Representative Richardson offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, Page 15, Section 197.318, Line 24 of said page, by adding the following after the word “category.”:

**“Notwithstanding the preceding provision of law, any facility licensed pursuant to chapter 198, RSMo, and located in a city not within a county may, on or before December 31, 2003, relocate up to one hundred of such facility’s current licensed beds to a newly constructed facility to be licensed within the same licensure category and located in a county that is adjoining the city not within a county if both facilities are under the same licensure ownership or control.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 11** was adopted.

Representative Monaco assumed the Chair.

Representative Crowell offered **House Amendment No. 12**.

**House Amendment No. 12** was withdrawn.

On motion of Representative Harlan, **HS HCS SS SCS SBs 670 & 684, as amended**, was adopted.

On motion of Representative Harlan, **HS HCS SS SCS SBs 670 & 684, as amended**, was read the third time and passed by the following vote:

AYES: 131

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Burton	Byrd	Campbell
Carnahan	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Monaco	Moore	Myers	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson

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Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 010

Bartelsmeyer	Berkstresser	Hartzler	Hohulin	Marble
Miller	Murphy	Naeger	Roark	Robirds

PRESENT: 000

ABSENT WITH LEAVE: 021

Ballard	Boykins	Brooks	Burcham	Champion
Cierpiot	Crump	Foley	Franklin	Graham
Green 73	Harlan	Henderson	Liese	Lograsso
Long	O'Toole	Ransdall	Richardson	Scheve
Troupe				

VACANCIES: 001

Representative Gambaro assumed the Chair.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**SS SCS HS HCS HB 1962:** Representatives Monaco, Clayton, Smith, Richardson and Crowell

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 712, as amended**, and has taken up and passed **CCS HS HCS SCS SB 712**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 840** and has taken up and passed **HCS SS SCS SB 840**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 1202**, and has taken up and passed **CCS HCS SCS SB 1202**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HB 1270 & HB 2032, as amended**: Senators Westfall, Foster, Sims, Caskey and Stoll.

## BILL IN CONFERENCE

**CCR SCS HB 2120**, relating to the value of property, was taken up by Representative Ridgeway.

On motion of Representative Ridgeway, **CCR SCS HB 2120** was adopted by the following vote:

AYES: 143

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker	Ballard	Boykins	Brooks	Champion
Crump	Foley	Franklin	Green 73	Harlan
Kelly 27	Liese	Lograsso	Long	O'Toole
Ransdall	Richardson	Scheve	Troupe	

VACANCIES: 001

On motion of Representative Ridgeway, **CCS SCS HB 2120** was read the third time and passed by the following vote:

AYES: 141

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Legan	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker	Ballard	Boykins	Brooks	Byrd
Clayton	Daus	Foley	Franklin	Graham
Green 73	Harlan	Hosmer	Kelly 27	Lawson
Liese	Lograsso	Long	Richardson	Scheve
Troupe				

VACANCIES: 001

Representative Gambaro declared the bill passed.

## BILL CARRYING REQUEST MESSAGE

**HS HCS SCS SB 680, as amended**, relating to the Missouri Commission on Obesity, was taken up by Representative Barry.

Representative Barry moved that the House refuse to recede from its position on **HS HCS SCS SB 680, as amended**, and grant the Senate a conference.

Which motion was adopted.

## BILL IN CONFERENCE

**CCR#2 HCS SB 795**, relating to boiler and pressure vessels safety fund, was taken up by Representative Treadway.

On motion of Representative Treadway, **CCR#2 HCS SB 795** was adopted by the following vote:

AYES: 136

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 144
Kelly 36	King	Koller	Lawson	Legan
Linton	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Roark
Robirds	Ross	Scott	Seigfreid	Selby
Shelton	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wright				

NOES: 003

Hohulin	St. Onge	Wagner
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PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Ballard	Boykins	Brooks	Foley
Franklin	Graham	Green 73	Harlan	Hosmer
Kelley 47	Kelly 27	Liese	Lograsso	Long
Moore	Richardson	Scheve	Schwab	Secrest
Shields	Wilson 42	Mr. Speaker		

VACANCIES: 001

On motion of Representative Treadway, **CCS HCS SB 795** was truly agreed to and finally passed by the following vote:

AYES: 137

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Bray 84	Britt	Burcham	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Jolly	Jones	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Linton	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Wilson 25
Wilson 42	Wright			

NOES: 003

Hohulin	St. Onge	Mr. Speaker
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PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Ballard	Boykins	Brooks	Burton
Byrd	Foley	Graham	Green 73	Harlan

Henderson	Johnson 90	Kelley 47	Kelly 27	Liese
Lograsso	Long	Mays 50	Moore	Richardson
Schwab	Willoughby			

VACANCIES: 001

Representative Gambaro declared the bill passed.

### HOUSE BILL WITH SENATE AMENDMENT

**SS SCS HCS HB 1898**, relating to a tax on retail pharmacies, was taken up by Representative Campbell.

Representative Campbell moved that the House refuse to adopt **SS SCS HCS HB 1898** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILL

**SB 1011**, relating to waste tires, was taken up by Representative Monaco.

Representative Monaco offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Bill No. 1011 by inserting in the appropriate location the following section:

**"Section 1. Notwithstanding any provisions of law to the contrary, any utility unit, as defined in Title IV of the federal Clean Air Act, 42 U.S.C. Section 7851a, that uses coal-fired cyclone boilers which also burn tire derived fuel shall limit emissions of oxides of nitrogen to a rate no greater than eighty percent of the emission limit for cyclone-fired boilers in Title IV of the federal Clean Air Act and implementing regulations in 40 CFR Part 76, as amended. The provisions of this section shall expire on April 30, 2004, or upon the effective date of a revision to 10 CSR 10-6.350, whichever later occurs. The director of the department of natural resources shall notify the revisor of statutes of the effective date of a revision to 10 CSR 10-6.350.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Monaco, **House Amendment No. 1** was adopted.

On motion of Representative Monaco, **SB 1011, as amended**, was read the third time and passed by the following vote:

AYES: 131

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Bray 84	Britt	Burcham	Burton	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver

Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Linton	Lowe	Luetkemeyer
Marble	Marsh	May 149	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Scheve	Secrest	Seigfreid	Selby	Shelton
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 031

Baker	Ballard	Barry 100	Boykins	Brooks
Byrd	Campbell	Foley	Franklin	Graham
Green 73	Harlan	Hickey	Hunter	Johnson 61
Kelly 27	Liese	Lograsso	Long	Luetkenhaus
Mayer	Mays 50	McKenna	Richardson	Roark
Schwab	Scott	Shields	Townley	Van Zandt
Mr. Speaker				

VACANCIES: 001

Representative Gambaro declared the bill passed.

Representative Monaco assumed the Chair.

### HOUSE BILL WITH SENATE AMENDMENT

**SCS HB 1508**, relating to outdoor advertising, was taken up by Representative Koller.

On motion of Representative Koller, **SCS HB 1508** was adopted by the following vote:

AYES: 117

Abel	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Burton	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump

Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Haywood	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mays 50	Merideth	Miller	Monaco	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Quinn	Ransdall
Rector	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Robirds	Ross	Scheve	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright			

NOES: 012

Behnen	Boatright	Henderson	Hohulin	Jetton
Kelly 144	Moore	Murphy	Phillips	Purgason
Roark	Shoemaker			

PRESENT: 000

ABSENT WITH LEAVE: 033

Baker	Ballard	Barry 100	Boykins	Brooks
Byrd	Campbell	Carnahan	Foley	Graham
Green 73	Harlan	Hartzler	Hegeman	Hickey
Hunter	Johnson 61	Johnson 90	Liese	Lograsso
Long	Marble	Mayer	McKenna	Reid
Richardson	Schwab	Scott	Townley	Troupe
Van Zandt	Williams	Mr. Speaker		

VACANCIES: 001

On motion of Representative Koller, **SCS HB 1508** was truly agreed to and finally passed by the following vote:

AYES: 115

Abel	Barnett	Barnitz	Bartle	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hendrickson	Hickey	Hilgemann	Holand
Holt	Hoppe	Hosmer	Johnson 90	Jolly
Jones	Kelley 47	Kelly 36	King	Koller
Lawson	Legan	Linton	Lowe	Luetkemeyer

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Luetkenhaus	Marsh	May 149	Mays 50	Merideth
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright

NOES: 013

Bartelsmeyer	Behnen	Boatright	Henderson	Hohulin
Jetton	Kelly 144	Miller	Moore	Phillips
Purgason	Roark	Shoemaker		

PRESENT: 000

ABSENT WITH LEAVE: 034

Baker	Ballard	Barry 100	Boykins	Brooks
Byrd	Campbell	Carnahan	Cierpiot	Foley
Franklin	Graham	Green 73	Harlan	Hegeman
Hollingsworth	Hunter	Johnson 61	Kelly 27	Liese
Lograsso	Long	Marble	Mayer	McKenna
Monaco	Richardson	Scheve	Schwab	Scott
Townley	Van Zandt	Williams	Mr. Speaker	

VACANCIES: 001

Representative Monaco declared the bill passed.

### THIRD READING OF SENATE BILL

**HCS SS SCS SBs 923, 828, 876, 694 & 736**, relating to children and families, was taken up by Representative Barry.

Representative Barry offered **HS HCS SS SCS SBs 923, 828, 876, 694 & 736**.

Representative Smith offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting in the appropriate location the following:

"210.485. 1. Any owner or operator of a for-profit child-placing agency or residential care facility licensed pursuant to sections 210.481 to 210.536, **or any owner or operator of a residential care facility operated by a well-known religious order or church exempt from licensure pursuant to subdivision (4) of subsection 1 of section 210.516** may be held civilly liable for any injury to another person or damage to property which occurs outside such facility and is caused by a child who is absent without authorization or approval from the facility but who is in the care of such facility. Such civil liability shall be determined in the same manner and amounts as provided for parents in section 211.185, RSMo. Nothing in this section shall alter, impair or otherwise affect other claims, rights or remedies

available pursuant to law.

2. The state of Missouri and any political subdivision thereof shall not be subject to civil liability pursuant to subsection 1 of this section.

**210.513. 1.** Notwithstanding the licensure exemption for residential care facilities operated by well-known religious orders or churches pursuant to subdivision (4) of subsection 1 of section 210.516, such facilities shall be inspected annually for compliance with fire and safety codes by officials of the local fire district or state fire marshal, or the state fire marshal's designee, and for compliance with health and sanitation codes by officials of the local health department or the department of health and senior services.

2. Any residential care facility subject to this section may request a variance from any rule promulgated pursuant to this section. The request for a variance shall be made in writing to the department of social services and include the reasons for the requested variance.

3. The department shall implement the provisions of this section in consultation with the state fire marshal, local fire districts, the department of health and senior services, and the local health departments. The department shall promulgate rules to implement and administer this section, and shall provide technical assistance and support to residential care facilities operated by well-known religious orders or churches that are seeking to comply with the department's rules.

4. Nothing in this section shall be construed as authorizing the department or any other governmental entity to interfere with:

- (1) The program, curriculum, ministry, teaching, or instruction offered in such residential care facility;
- (2) The selection, certification, minimal formal educational degree requirements, supervision, or terms of employment of the personnel of such residential care facility;
- (3) The selection of the members of the governing body of such residential care facility; or
- (4) The selection of children enrolled in such residential care facility.

5. If after providing technical assistance and a reasonable period of time for compliance with the rules promulgated pursuant to this section the department determines the residential care facility remains noncompliant, the department shall provide written notice to the facility of the noncompliance and provide an additional twenty days to reach compliance. If after such twenty-day period the facility remains noncompliant, the department shall notify the prosecuting attorney of the county where the facility is located regarding the noncompliance.

**210.514. 1.** Any residential care facility operated by a well-known religious order or church pursuant to the exempt status recognized in subdivision (4) of subsection 1 of section 210.516 shall upon enrollment of any child provide the parent or guardian enrolling the child two copies of a notice of parental responsibility, one copy of which shall be retained in the files of the facility after the enrolling parent acknowledges, by signature, having read and accepted the information contained therein.

2. The notice of parental responsibility shall include the following:

(1) Notification that the facility is exempt as a religious organization from state licensing and therefore not inspected or supervised by the department other than as provided herein and that the facility has been inspected by those designated in section 210.513 and is complying with the fire, safety, health, and sanitation requirements of section 210.513;

(2) The names, addresses, and telephone numbers of agencies and authorities which inspect the facility for fire, safety, health, and sanitation and the date of the most recent inspection by each;

(3) The staff-to-child ratios for enrolled children as required by rule of the department, the actual staff-to-child ratio for the facility, and the total number of children to be enrolled by the facility;

(4) Notification that background checks have been conducted on each individual employee of the facility. The background check shall be conducted upon employment and every two years thereafter on each individual employee of the facility. Such background check shall include a screening for child abuse or neglect through the department, and a criminal record review through the Missouri highway patrol pursuant to section 43.540, RSMo;

(5) The disciplinary philosophy and policies of the facility; and

(6) The educational philosophy and policies of the facility.

3. A copy of the notice of parental responsibility, signed by the principal operating officer of the exempt facility and the individual primarily responsible for the religious organization conducting the facility and copies of the annual fire, safety, health, and sanitation inspections shall be filed with the department five days prior to the start of operation of the facility and annually thereafter.

**210.515. 1. Any person who violates any provision of section 210.513 or 210.514, or if any other person makes materially false statements in the notice of parental responsibility required in section 210.514 shall be guilty of an infraction for the first offense and shall be assessed a fine not to exceed two hundred dollars and shall be guilty of a class A misdemeanor for subsequent offenses. In case such guilty person is a corporation, association, institution or society, the officers thereof who participate in such misdemeanor shall be subject to the penalties provided by law.**

**2. In addition to initiating proceedings pursuant to subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a facility for violating any provision of section 210.513 or 210.514. The order shall remain in force until such a time as the court determines that the facility is in substantial compliance.**

**3. In cases of imminent bodily harm to children in the care of a facility, the department may file suit in the circuit court of the county in which the facility is located for injunctive relief, which may include removing the children from the facility, overseeing the operation of the facility, or closing the facility.**

210.516. 1. It shall be unlawful for any person to establish, maintain, or operate a foster home, residential care facility, or child placing agency, or to advertise or hold himself **or herself** out as being able to perform any of the services as defined in sections 210.481 to 210.536, without having in full force and effect a license issued by the division; provided, however, that nothing in sections 210.481 to 210.536 shall apply to:

(1) Any [residential care facility operated by a person in which the care provided is in conjunction with an educational program for which a tuition is charged and completion of the program results in meeting requirements for a diploma recognized by the state department of elementary and secondary education;

(2) Any camp, hospital, sanitarium, or home which is conducted in good faith primarily to provide recreation, medical treatment, or nursing or convalescent care for children;

(3)] **hospital licensed under chapter 197, RSMo;**

(2) Any person who receives free of charge, and not as a business, for periods of time not exceeding ninety consecutive days, the child of personal friends of such person as an occasional and personal guest, and who receives custody of no other unrelated child;

[(4)] (3) Any child placing agency operated by the department of mental health or any foster home or residential care facility operated or licensed by the department of mental health under sections 630.705 to 630.760, RSMo, which provides care, treatment, and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005, RSMo;

[(5)] (4) Any foster home arrangement, **residential care facility, or child placement agency** established and operated by any well-known religious order or church [and any residential care facility or child placement agency operated by such organization] **that qualifies or would qualify for federal tax exempt status as a nonprofit religious organization under section 501(c) of the Internal Revenue Code;** or

[(6)] (5) Any institution or agency maintained or operated by the state, city or county.

2. [The division shall not require any foster home, residential care facility, or child placing agency which believes itself exempt from licensure as provided in subsection 1 of this section to submit any documentation in support of the claimed exemption; however said foster home, residential care facility, or child placing agency is not precluded from furnishing such documentation if it chooses to do so.] **Notwithstanding the provisions of subdivision (4) of subsection 1 of this section, no residential treatment facility shall be exempt from licensure if such facility receives any state or federal funds for providing child care.**

**3. Any facility exempt from licensure pursuant to subsection 1 of this section shall forfeit its exempt status upon notification by the division of family services that the division has a total of three reports of child abuse or neglect involving the facility, its administrator, or its employees that have resulted in a substantiated report of probable cause to suspect child abuse or neglect.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Britt	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Koller	Liese	Lowe	Luetkenhaus
Mays 50	McKenna	Merideth	Monaco	O'Connor
O'Toole	Overschmidt	Paone	Ransdall	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 071

Barnett	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Burton
Byrd	Champion	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Phillips	Portwood	Purgason	Quinn	Rector
Reid	Reinhart	Richardson	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Ballard	Bray 84	Brooks	Lawson	Marsh
Ostmann	Ridgeway	Van Zandt		

VACANCIES: 001

Representative Smith moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Barry 100	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Fares	Farnen	Foley	Franklin	Fraser



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George	Graham	Green 15	Green 73	Hagan-Harrell
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Lowe	Mays 50	McKenna
Monaco	O'Toole	Paone	Relford	Shelton
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Walker	Walton	Williams
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 091

Barnett	Barnitz	Bartelsmeyer	Bartle	Bearden
Behnen	Berkowitz	Berkstresser	Black	Boatright
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Davis
Dempsey	Dolan	Enz	Froelker	Gambaro
Gaskill	Gratz	Griesheimer	Hampton	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Holt	Hoppe	Hunter	Jetton
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Liese	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marble	May 149	Mayer
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Reynolds	Richardson	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Seigfreid	Selby	Shields	St. Onge	Surface
Townley	Vogel	Ward	Whorton	Willoughby
Wright				

PRESENT: 002

Shoemaker	Shoemyer
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ABSENT WITH LEAVE: 011

Abel	Baker	Ballard	Brooks	Lawson
Marsh	O'Connor	Ostmann	Rizzo	Scheve
Wagner				

VACANCIES: 001

Representative Kelley (47) requested a verification of the roll call on the motion to adopt **House Amendment No. 1.**

Representative Berkstresser offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 13, Section 210.001, Lines 8 and 9, by inserting an open bracket “[“ around “(5)” and a closed bracket “]” around “center;”; and

Further amend said bill, said section, said page, Line 8, by inserting in lieu thereof the following:

“(5) **The Greene County child assessment center;**”; and

Further amend said bill, said section, said page, Line 16, by striking the word “**and**”; and

Further amend said bill, said section, said page, Line 17, by striking “**center.**” and inserting in lieu thereof “**center; and**”; and

Further amend said bill, said section, said page, Line 18, by inserting on said line the following:

“(14) **The Lakes Area child assessment center.**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Berkstresser, **House Amendment No. 2** was adopted.

Representative Willoughby offered **House Amendment No. 3**.

Representative Reid offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

**House Substitute Amendment No. 1 for House Amendment No. 3** was withdrawn.

**House Amendment No. 3** was withdrawn.

Representative Smith assumed the Chair.

Representative Monaco resumed the Chair.

Representative Kelly (27) offered **House Amendment No. 3**.

Representative Crowell raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Monaco requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Dolan offered **House Amendment No. 3**.

Representative Barry raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Barry requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Ward offered **House Amendment No. 3**.

Representative Barry raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Barry requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Johnson (90) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 15, Section 210.145, Line 21, by inserting after “observation.” the following:

**“If the parents of the child are not the alleged abusers, the parents of the child must be notified prior to the child being interviewed by the division. The division shall not meet with the child in any location where abuse of such child is alleged to have occurred.”; and**

Further amend said section, Page 16, Line 11 of said page, by inserting an opening bracket immediately before the word “public”; and

Further amend Line 12 of said page by inserting a closing bracket immediately after the period; and

Further amend Line 11 after the word “the” by inserting the following:

**“superintendent of each school district shall designate a specific person or persons to act as the public school district liaison.”; and**

Further amend Line 15 of said page by inserting at the end of said line the following:

**“Upon notification of an investigation, all information received by the public school district liaison or the school shall be subject to the provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34 C.F.R. Part 99.”.**

On motion of Representative Johnson (90), **House Amendment No. 3** was adopted.

Speaker Pro Tem Abel resumed the Chair.

Representative Ladd Baker offered **House Amendment No. 4**.

Representative Fraser raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Naeger offered **House Amendment No. 4**.

Representative Barry raised a point of order that **House Amendment No. 4** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Hohulin offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 45, Section 294.030, Line 23, by changing the “9” to an “**11**”; and

Further amend said bill, Line 22, by changing the “7” to a “**9**”.

Representative Fraser raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

**HCS SS SCS SBs 923, 828, 876, 694 & 736, with House Amendment No. 4 and HS, as amended, pending**, was laid over.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 1898** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 2120** and has taken up and passed **CCS SCS HB 2120**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SBs 670 & 684, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA1 to SB 1011** and has taken up and passed **SB 1011, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SCS SB 1026, as amended**, and has taken up and passed **CCS HS SCS SB 1026**.

### **BILL CARRYING REQUEST MESSAGE**

**HS HCS SS SCS SBs 670 & 684, as amended**, relating to the protection of the elderly, was taken up by Representative Harlan.

Representative Harlan moved that the House refuse to recede from its position on **HS HCS SS SCS SBs 670 & 684, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**SS SCS HB 1898:** Representatives Campbell, Foley, Harlan, Naeger and Hunter

### **COMMITTEE REPORTS**

**Committee on Agriculture**, Chairman Berkowitz reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HR 1864**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### **HOUSE RESOLUTION NO. 1864**

Whereas, the world's most famous name in fast food is McDonald's, a business which was started in 1954 by Ray Kroc in San Bernardino, California; and

Whereas, Ray Kroc, the original founder of McDonald's, believed that only the best quality of products should be used in his restaurants; and

Whereas, while McDonald's uses only 100% pure beef in its hamburgers, not all of the beef in McDonald's hamburgers is 100% American beef; and

Whereas, as the nation's largest buyer of beef and with more than 28,000 restaurants worldwide, the McDonald's Corporation should return to Ray Kroc's philosophy by exclusively utilize the United States beef industry and using only 100% American beef in all its restaurants; and

Whereas, the Agricultural Marketing Act of 1946 provided the United States Department of Agriculture the authority to establish standards for the grading and classification of United States agricultural products; and

Whereas, these standards have become recognized around the world as the mark of United States excellence and quality, making the quality of beef produced in the United States second to none; and

Whereas, the United States consumers and beef producers "need a break today" and expect McDonald's, the most popular fast food chain in the nation, to utilize the best quality of beef available on the market in its hamburgers; and

Whereas, since the "Golden Arches" of McDonald's have become as American as apple pie and baseball, consumers deserve nothing less than 100% American beef in their McDonald's hamburgers:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Ninety-first General Assembly, urge the McDonald's Corporation to exclusively utilize the United States beef industry and use only 100% American beef in all its 28,000 restaurants around the world; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Jack M. Greenberg, Chairman and Chief Executive Officer of the McDonald's Corporation.

**Committee on Banks and Financial Institutions**, Chairman Liese reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SS#2 SB 1191**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Commerce and Economic Development**, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred **SS#2 SCS SBs 1279, 1162 & 1164**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 73**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCS SBs 1112 & 854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SCS SBs 1112 & 854** - Fiscal Review and Government Reform (Fiscal Note)

**HCS SS#2 SB 1191** - Fiscal Review and Government Reform (Fiscal Note)

**HCS SS#2 SCS SBs 1279, 1162 & 1164** - Fiscal Review and Government Reform (Fiscal Note)

**SB 1095** - Criminal Law

**COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Lawson is no longer a member of the Fiscal Review and Government Reform Committee.

Representative Liese has been appointed a member of the Fiscal Review and Government Reform Committee.

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 895**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Bill No. 895, with House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 895, as amended;
2. That the Senate recede from its position on Senate Bill No. 895;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 895, be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Sen. Anita Yeckel  
/s/ Sen. Doyle Childers  
/s/ Sen. Bill Foster  
/s/ Sen. John Schneider  
/s/ Sen. Harry Wiggins

**FOR THE HOUSE:**

/s/ Rep. Chris Liese  
/s/ Rep. Ralph Monaco  
/s/ Rep. Dan Ward  
/s/ Rep. Blaine Luetkemeyer  
/s/ Rep. Mark Wright

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 712**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, with House Amendment Nos. 1, 2, House Substitute Amendment No. 1 for House Amendment No. 3, House Amendment Nos. 4, 5, 8 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 712;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 712, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Marvin Singleton  
/s/ Sarah Steelman  
/s/ Chuck Gross  
/s/ Harold Caskey  
/s/ Ed Quick

FOR THE HOUSE:

/s/ Jim O'Toole  
/s/ Craig Hosmer  
/s/ Connie Johnson  
/s/ Susan Phillips

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 1202**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1202 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1202;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 1202;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1202, be Third Read and Finally Passed.



FOR THE SENATE:

/s/ Sen. Morris Westfall  
/s/ Sen. John Russell  
/s/ Sen. John Cauthorn  
/s/ Sen. Danny Staples  
/s/ Sen. Wayne Goode

FOR THE HOUSE:

/s/ Rep. Don Koller  
/s/ Rep. Katherine Hollingsworth  
/s/ Rep. Mark Hampton  
/s/ Rep. Richard Byrd  
/s/ Rep. Delbert Scott

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 810**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810 with House Amendment Nos. 1, 2, 3, 4 and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Amendment Nos. 1 and 4 to House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810;
2. That the Senate recede from its position on House Amendment Nos. 2, 3 and 5 to House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810;
3. That Conference Committee Amendment No. 1 be adopted; and
4. That House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810, with House Amendment Nos. 2, 3 and 5, and Conference Committee Amendment No. 1, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Pat Dougherty  
/s/ Steve Stoll  
/s/ Roseann Bentley  
/s/ Betty Sims

FOR THE HOUSE:

/s/ Lana Ladd Baker  
/s/ Tim Harlan  
/s/ Chuck Graham  
/s/ Charles Portwood  
/s/ Roy Holand

Conference Committee Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 810, Page 1, Section A, Line 14, by inserting after all of said line the following:

"8.231. 1. For purposes of this section, the following terms shall mean:

(1) "Energy cost savings measure", a training program or facility alteration designed to reduce energy consumption or operating costs, and may include one or more of the following:

(a) Insulation of the building structure or systems within the building;

(b) Storm windows or doors, caulking or weather stripping, multiglazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing reductions in glass area, or other window and door system modifications that reduce energy consumption;

(c) Automated or computerized energy control system;

(d) Heating, ventilating or air conditioning system modifications or replacements;

(e) Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable state or local building code for the lighting system after the proposed modifications are made;

(f) Indoor air quality improvements to increase air quality that conforms to the applicable state or local building code requirements;

(g) Energy recovery systems;

(h) Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings;

(i) Any life safety measures that provide long-term operating cost reductions and are in compliance with state and local codes; [or]

(j) Building operation programs that reduce the operating costs; or

**(k) Any life safety measures related to compliance with the Americans With Disabilities Act, 42 U.S.C. Section 12101, et seq., that provide long-term operating cost reductions and are in compliance with state and local codes;**

(2) "Governmental unit", a state government agency, department, institution, college, university, technical school, legislative body or other establishment or official of the executive, judicial or legislative branches of this state authorized by law to enter into contracts, including all local political subdivisions such as counties, municipalities, public school districts or public service or special purpose districts;

(3) "Guaranteed energy cost savings contract", a contract for the implementation of one or more such measures. The contract shall provide that all payments, except obligations on termination of the contract before its expiration, are to be made over time and the energy cost savings are guaranteed to the extent necessary to make payments for the systems. Guaranteed energy cost savings contracts shall be considered public works contracts to the extent that they provide for capital improvements to existing facilities;

(4) "Operational savings", expenses eliminated and future replacement expenditures avoided as a result of new equipment installed or services performed;

(5) "Qualified provider", a person or business experienced in the design, implementation and installation of energy cost savings measures;

(6) "Request for proposals" or "RFP", a negotiated procurement.

2. No governmental unit shall enter into a guaranteed energy cost savings contract until competitive proposals therefor have been solicited by the means most likely to reach those contractors interested in offering the required services, including but not limited to direct mail solicitation, electronic mail and public announcement on bulletin boards, physical or electronic. The request for proposal shall include the following:

(1) The name and address of the governmental unit;

(2) The name, address, title and phone number of a contact person;

(3) The date, time and place where proposals shall be received;

(4) The evaluation criteria for assessing the proposals; and

(5) Any other stipulations and clarifications the governmental unit may require.

3. The governmental unit shall award a contract to the qualified provider that provides the lowest and best proposal which meets the needs of the unit if it finds that the amount it would spend on the energy cost savings measures recommended in the proposal would not exceed the amount of energy or operational savings, or both, within a ten-year

period from the date installation is complete, if the recommendations in the proposal are followed.

The governmental unit shall have the right to reject any and all bids.

4. The guaranteed energy cost savings contract shall include a written guarantee of the qualified provider that either the energy or operational cost savings, or both, will meet or exceed the costs of the energy cost savings measures, adjusted for inflation, within ten years. The qualified provider shall reimburse the governmental unit for any shortfall of guaranteed energy cost savings on an annual basis. The guaranteed energy cost savings contract may provide for payments over a period of time, not to exceed ten years, subject to appropriation of funds therefor.

5. The governmental unit shall include in its annual budget and appropriations measures for each fiscal year any amounts payable under guaranteed energy savings contracts during that fiscal year.

6. A governmental unit may use designated funds for any guaranteed energy cost savings contract including purchases using installment payment contracts or lease purchase agreements, so long as that use is consistent with the purpose of the appropriation.

7. Notwithstanding any provision of this section to the contrary, a not-for-profit corporation incorporated pursuant to chapter 355, RSMo, and operating primarily for educational purposes in cooperation with public or private schools shall be exempt from the provisions of this section."; and

Further amend the title and enacting clause accordingly.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1402**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1402, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 7, and Senate Amendment No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1402, as amended;
2. That the House recede from its position on House Bill No. 1402;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1402 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Sarah Steelman  
/s/ Sen. Bill Kenney  
/s/ Sen. Roseann Bentley  
/s/ Sen. Wayne Goode  
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Carol Mays  
/s/ Rep. William Gratz  
/s/ Rep. Gary Burton  
/s/ Rep. Rex Rector

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 1026**

The Conference Committee appointed on House Substitute for Senate Committee Substitute for Senate Bill No. 1026 with House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Committee Substitute for Senate Bill No. 1026, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 1026;
3. That the attached Conference Committee Substitute for House Substitute for Senate Committee Substitute for Senate Bill No. 1026 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Kenney  
/s/ Betty Sims  
/s/ Larry Rohrbach  
/s/ Patrick Dougherty  
/s/ Stephen Stoll

FOR THE HOUSE:

/s/ Joan Barry  
/s/ Harold Selby  
/s/ Joseph Treadway  
/s/ Jerry King  
/s/ Bob May

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1313**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1313 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1313;
2. That the House recede from its position on House Bill No. 1313;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1313 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Bill Foster  
/s/ Sen. Doyle Childers  
/s/ Sen. Chuck Gross  
/s/ Sen. Sidney Johnson  
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. Joseph Treadway  
/s/ Rep. Thomas Hoppe  
/s/ Rep. Tom Green  
/s/ Rep. Gary Burton  
/s/ Rep. Delbert Scott

The following member's presence was noted: Ballard.

### ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:00 a.m, Thursday, May 16, 2002.

### CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-first Day, Tuesday, May 14, 2002, page 2055, line 33, by deleting the words "head injury fund" and inserting in lieu thereof the words "Second Injury Fund".

Page 2062, line 17, by deleting said line.

Pages 2002 and 2003, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Pages 2003 and 2004, roll call, by showing Representatives King, Wagner and Willoughby voting "aye" rather than "absent with leave".

Pages 2004 and 2005, roll call, by showing Representatives Carnahan, Hunter, Wagner and Willoughby voting "aye" rather than "absent with leave".

Pages 2007 and 2008, roll call, by showing Representative Kelly (27) voting "no" rather than "absent with leave".

Pages 2009 and 2010, roll call, by showing Representatives Carnahan and Purgason voting "no" rather than "absent with leave".

Pages 2009 and 2010, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Page 2015, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

Page 2016, roll call, by showing Representative Wagner voting "aye" rather than "absent with leave".

Pages 2022 and 2023, roll call, by showing Representatives Dolan and Kelly (27) voting "aye" rather than "absent with leave".

Pages 2022 and 2023, roll call, by showing Representative Surface voting "no" rather than "absent with leave".

Pages 2023 and 2024, roll call, by showing Representatives Dolan and Kelly (27) voting "aye" rather than "absent with leave".

Pages 2023 and 2024, roll call, by showing Representative Purgason voting "no" rather than "absent with leave".

Pages 2025 and 2026, roll call, by showing Representative Naeger voting "no" rather than "absent with leave".

Pages 2026 and 2027, roll call, by showing Representative Enz voting "aye" rather than "absent with leave".

Pages 2027 and 2028, roll call, by showing Representatives Barnett and Wright voting "no" rather than "absent with leave".

Pages 2031 and 2032, roll call, by showing Representatives Enz, Kelly (27) and Reinhart voting "aye" rather than "absent with leave".

Pages 2031 and 2032, roll call, by showing Representative Bartelsmeyer voting "no" rather than "absent with leave".

Pages 2032 and 2033, roll call, by showing Representatives Bartelsmeyer, Bearden, Enz and Surface voting "aye" rather than "absent with leave".

Pages 2033 and 2034, roll call, by showing Representative Enz voting "aye" rather than "absent with leave".

Page 2035, roll call, by showing Representatives Cooper, Enz, Kelly (144), Hunter and Willoughby voting "aye" rather than "absent with leave".

Pages 2037 and 2038, roll call, by showing Representatives Dolan, Enz and Hunter voting "aye" rather than "absent with leave".

Pages 2038 and 2039, roll call, by showing Representatives Enz and Kelly (144) voting "aye" rather than "absent with leave".

Page 2042, roll call, by showing Representatives Bartelsmeyer, Cooper, Dempsey, Dolan, Fraser, Hunter, Shields and Willoughby voting "aye" rather than "absent with leave".

Pages 2044 and 2045, roll call, by showing Representatives Bartelsmeyer and Wright voting "no" rather than "absent with leave".

Page 2046, roll call, by showing Representative Kelly (144) voting "aye" rather than "absent with leave".

Page 2048, roll call, by showing Representative Berkstresser voting "aye" rather than "no".

Page 2048, roll call, by showing Representatives Black, Burcham, Dolan, Jones, Ward and Wright voting "aye" rather than "absent with leave".

### **COMMITTEE MEETINGS**

#### **CRITICAL ISSUES, CONSUMER PROTECTION AND HOUSING**

Thursday, May 16, 2002, 8:00 a.m. Hearing Room 7.

Executive Session.

Public Hearing to be held on: SCR 53

#### **FISCAL REVIEW AND GOVERNMENT REFORM**

Thursday, May 16, 2002. Hearing Room 3 upon morning recess. AMENDED NOTICE.

Public Hearing to be held on: SB 665, SB 916, SB 989, SB 1191, SB 1279

#### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Thursday, May 16, 2002, 8:30 a.m. Hearing Room 6. Open meeting. AMENDED NOTICE.

Set prices for the 2002 Session Laws, other business.

### **HOUSE CALENDAR**

SEVENTY-THIRD DAY, THURSDAY, MAY 16, 2002

#### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton

- 11 HB 1211 - Smith
- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)
- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher
- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley
- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)
- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall
- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks

#### **HOUSE BILL FOR PERFECTION - INFORMAL**

HB 1916 - Franklin

#### **HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

HCS HCR 35, HS pending, (5-7-02, Pages 1716-1718) - Riback Wilson (25)

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 3 HS HCS HB 1231 - Harding



**SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 58, HCA 1 (Klarich)(4-9-02, Pages 1026-1027) - Luetkenhaus
- 2 SCR 49, (Rohrbach) (3-06-02, Page 490) - Clayton
- 3 HCS SCR 41, (Rohrbach) (5-14-02) - George
- 4 SCR 73, (Bland) (5-10-02, Pages 1896-1897) - Copenhaver

**SENATE JOINT RESOLUTION FOR THIRD READING**

HCS SJR 24, (Johnson) (5-02-02, Page 1583) - Farnen

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 SCS SB 988, (Caskey) - Hartzler
- 2 SB 831, (Loudon) - Gambaro

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 894, 975 & 927, E.C. (Kinder) - O'Toole
- 2 SB 1011, (Caskey) - Monaco
- 3 HCS SS SCS SB 931, (Klarich) - Monaco
- 4 HCS SB 1186, (Kenney) - Hoppe
- 5 HCS SS SCS SB 923, 828, 876, 694 & 736, HA 4, and HS, as amended,  
pending, E.C. (Sims) - Barry
- 6 HCS SS SCS SB 1107, (Childers) - Hoppe
- 7 HCS SS SB 665, (Kenney) (Fiscal Review 5-14-02) - Hoppe
- 8 HCS SCS SB 1060, (Westfall) - Hoppe
- 9 HCS SCS SB 834, E.C. (Sims) - Hoppe
- 10 SCS SB 642, (Russell) - Reid
- 11 HCS SCS SB 739, (Wiggins) - Monaco
- 12 HCS SB 989, as amended (Caskey) (Fiscal Review 5-14-02) - Hartzler
- 13 HCS SCS SB 1137, (Bentley) - Hosmer
- 14 HCS SCS SB 662 & 704, (Westfall) - Monaco
- 15 SCS SB 878, (Sims) - Harding
- 16 HCS SCS SB 916, (Dougherty)(Fiscal Review 5-15-02) - Smith
- 17 SCS SB 1203, (Yeckel) - Hilgemann
- 18 SB 896, (Yeckel) - Johnson (90)
- 19 HCS SS#2 SCS SB 1279, 1162 & 1164, (Kinder)(Fiscal Review 5-15-02) - Foley
- 20 SCS SB 1112 & 854, E.C. (Caskey)(Fiscal Review 5-15-02) - O'Toole
- 21 HCS SS#2 SB 1191, E.C. (Jacob)(Fiscal Review 5-15-02) - Graham

## HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HB 1701 - Luetkenhaus
- 2 SS#2 SCS HB 1348, as amended - Myers
- 3 SS SCS HB 1041, as amended, E.C. - Myers

## BILLS CARRYING REQUEST MESSAGES

- 1 SCS HB 1953, as amended (request Senate recede/grant conference) - Van Zandt
- 2 HCS SS SCS SB 837, 866, 972 & 990, as amended (request House  
recede/grant conference) - Berkowitz
- 3 HS SS#2 SCS SB 984 & 985, (request House recede/grant conference) - Merideth

## BILLS IN CONFERENCE

- 1 HS HCS SS SB 1248, as amended - Foley
- 2 CCR HCS SCS SB 1086 & 1126 - Hoppe
- 3 CCR SCS HB 1313 - Burton
- 4 CCR HS SB 1220, as amended - O'Toole
- 5 CCR HCS SCS SB 1202, E.C. - Koller
- 6 SS SCS HB 1712, as amended - Monaco
- 7 SS#2 SCS HB 1446, as amended - Luetkenhaus
- 8 CCR HS HCS SB 895, as amended - Liese
- 9 CCR HS HCS SCS SB 712, as amended - O'Toole
- 10 HS HCS SS SCS SB 970, 968, 921, 867, 868 & 738 - Koller
- 11 CCR HS HCS SCS SB 810, as amended (conferees be allowed to  
exceed differences on spend down issue) - Ladd Baker
- 12 CCR SCS HB 1402, as amended, E.C. - Burton
- 13 HS SCS SB 915, 710 & 907, as amended - Koller
- 14 HS#2 HCS SS SCS SB 969, 673 & 855, as amended, E.C.  
(conferees not be bound to HA 2) - Smith
- 15 HS HCS SCS SB 1061 & 1062, as amended - Harlan
- 16 CCR HS SCS SB 1026, as amended - Barry
- 17 SS SCS HS HCS HB 1962, as amended - Monaco
- 18 SS SCS HB 1270 & HB 2032, as amended, E.C. - Gratz
- 19 SS HB 1748, as amended, E.C. - Ransdall
- 20 HS HCS SCS SB 680, as amended - Barry
- 21 SS SCS HCS HB 1898, E.C. - Campbell
- 22 HS HCS SS SCS SB 670 & 684, as amended - Harlan

## HOUSE RESOLUTION

HR 1864, (5-15-02) - Shoemyer (9)

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SEVENTY-THIRD DAY, THURSDAY, MAY 16, 2002

Speaker Pro Tem Abel in the Chair.

Prayer by Reverend Rudy Beard.

Save this moment, Gracious God, from being only a custom or gesture. Help each one of us in this place call upon You for Your strength and guidance. You are the Great Unseen Member of this House. If we listen with the ears of faith and hope, Your truth and wisdom will inform us.

Bless these men and women of this Body. Grant them that which they will need for this day of decisions and debate. Keep them and their families in Your care and so lead them that this night they may hear Your gracious benediction, "Well done, good and faithful servant."

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sarah Wilson, Samantha Moody-Walker and Spencer Hunley.

The Journal of the seventy-second day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2038 - Representative Smith  
House Resolution No. 2039  
and  
House Resolution No. 2040 - Representative Johnson (61)  
House Resolution No. 2041 - Representative Shields  
House Resolution No. 2042 - Representative Relford  
House Resolution No. 2043 - Representative Hegeman  
House Resolution No. 2044 - Representative Kelly (36)

## HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HB 1041, as amended**, relating to tourism taxes, was taken up by Representative Myers.

Representative Myers moved that the House refuse to adopt **SS SCS HB 1041, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Representative Gambaro made a substitute motion to adopt and truly agree to and finally pass **SS SCS HB 1041, as amended**.

Which motion was adopted by the following vote:

AYES: 118

Abel	Baker	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bonner	Boucher	Bowman	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Harlan
Hartzler	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Liese
Linton	Lowe	Luetkemeyer	Marsh	May 149
Mays 50	McKenna	Merideth	Miller	Monaco
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt
Paone	Quinn	Ransdall	Reid	Reinhart
Relford	Reynolds	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Wagner	Walton	Ward	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 032

Ballard	Barnett	Bartle	Boatright	Boykins
Cunningham	Gaskill	Haywood	Hegeman	Hohulin
Johnson 61	Kelly 144	Legan	Long	Mayer
Moore	Murphy	Myers	Phillips	Purgason
Rector	Richardson	Roark	Shields	Shoemaker
Smith	Troupe	Villa	Vogel	Walker
Whorton	Williams			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Brooks	Cierpiot	Hagan-Harrell	Koller
Lawson	Lograsso	Luetkenhaus	Marble	O'Connor
Portwood	Ridgeway			

VACANCIES: 001

On motion of Representative Gambaro, **SS SCS HB 1041, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Champion	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Liese	Linton	Long
Lowe	Luetkemeyer	Marble	Marsh	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Purgason	Quinn	Ransdall	Rector	Reinhart
Relford	Reynolds	Richardson	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Van Zandt	Vogel	Wagner
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 009

Boykins	Haywood	Johnson 61	Legan	Smith
Troupe	Villa	Walker	Williams	

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Brooks	Carnahan	Cierpiot	Hagan-Harrell
Harlan	Lawson	Lograsso	Luetkenhaus	May 149
O'Connor	Portwood	Reid	Ridgeway	Shields

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

On motion of Representative Myers the emergency clause was adopted by the following vote:

AYES: 139

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crump
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Quinn	Ransdall	Rector	Reinhart	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 014

Bartle	Boatright	Crowell	Cunningham	Hendrickson
Hohulin	Johnson 61	Phillips	Purgason	Reid
Roark	Smith	Van Zandt	Williams	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brooks	Cierpiot	Hagan-Harrell	Kelly 27	Lograsso
Luetkenhaus	Naeger	Portwood	Ridgeway	

VACANCIES: 001

**SS#2 SCS HB 1348, as amended**, relating to boll weevil eradication, was taken up by Representative Myers.

Representative Myers moved that the House refuse to adopt **SS#2 SCS HB 1348, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

# **ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTIONS**

**SCR 49**, relating to acts and resolutions, was taken up by Representative Clayton.

On motion of Representative Clayton, **SCR 49** was read the third time and passed by the following vote:

AYES: 142

Abel	Barnett	Barry 100	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Naeger
Nordwald	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 004

Barnitz	Britt	Shoemyer	Smith
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PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Ballard	Berkowitz	Bland	Brooks
Copenhaver	Hagan-Harrell	Lograsso	Luetkenhaus	Moore
Myers	O'Connor	Portwood	Ridgeway	Troupe
Williams				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SCR 41**, relating to charity care accountability, was taken up by Representative George.

On motion of Representative George, **HCS SCR 41** was adopted and read the third time and passed by the following vote:

AYES: 099

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Burton	Campbell	Carnahan
Champion	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Dolan	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hampton	Harding
Harlan	Haywood	Hegeman	Hilgemann	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 27	Kelly 36
Koller	Lawson	Liese	Lowe	Marsh
Mays 50	McKenna	Merideth	Monaco	Moore
O'Connor	O'Toole	Overschmidt	Paone	Quinn
Ransdall	Rector	Reid	Relford	Reynolds
Rizzo	Scheve	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 052

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Cierpiot
Cooper	Crowell	Cunningham	Dempsey	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelly 144	King	Legan
Linton	Long	Luetkemeyer	Marble	May 149
Mayer	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Purgason	Reinhart
Richardson	Roark	Robirds	Ross	Schwab
Townley	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Brooks	Byrd	Crawford	Hagan-Harrell
Hickey	Lograsso	Luetkenhaus	Portwood	Ridgeway
Troupe				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Representative Villa assumed the Chair.



Speaker Pro Tem Abel resumed the Chair.

**SCR 73**, relating to the joint interim committee on After-School Programs, was taken up by Representative Copenhagen.

On motion of Representative Copenhagen, **SCR 73** was read the third time and passed by the following vote:

AYES: 119

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Behnen	Berkowitz	Berkstresser	Black	Boatright
Bonner	Boucher	Bowman	Bray 84	Britt
Burton	Campbell	Carnahan	Champion	Copenhagen
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hollingsworth	Holt
Hoppe	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 36	King
Koller	Lawson	Legan	Liese	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Nordwald	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Ross	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Treadway	Van Zandt	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 020

Ballard	Bearden	Burcham	Byrd	Cierpiot
Cooper	Crawford	Hohulin	Hunter	Linton
Long	Murphy	Naeger	O'Connor	Purgason
Roark	Robirds	Schwab	Surface	Townley

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Bartle	Bland	Boykins	Brooks
Clayton	Crowell	Franklin	George	Green 73
Hagan-Harrell	Harlan	Hickey	Holand	Hosmer
Kelly 27	Lograsso	Luetkenhaus	Portwood	Ridgeway
Scheve	Troupe	Wagner		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### THIRD READING OF SENATE BILL

**HCS SS SCS SBs 923, 828, 876, 694 & 736, with House Amendment No. 4 and HS, as amended, pending,** relating to children and families, was taken up by Representative Barry.

Representative Hohulin moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Ballard	Barnett	Barnitz	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Cierpiot	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Gaskill	Gratz	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Holt	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Luetkemeyer	Marsh
May 149	Mayer	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Phillips
Purgason	Quinn	Rector	Reid	Reinhart
Richardson	Roark	Ross	Schwab	Scott
Secrest	Shoemaker	St. Onge	Surface	Townley
Vogel	Wright			

NOES: 087

Abel	Baker	Barry 100	Bartelsmeyer	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Fares	Farnen	Foley	Franklin
Fraser	Froelker	Gambaro	George	Graham
Green 15	Green 73	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Hoppe
Hosmer	Johnson 61	Jolly	Jones	Kelly 27
Kelly 36	Koller	Lawson	Liese	Lowe
Luetkenhaus	Marble	Mays 50	McKenna	Monaco
O'Connor	O'Toole	Overschmidt	Paone	Ransdall
Relford	Reynolds	Rizzo	Robirds	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brooks	Hagan-Harrell	Johnson 90	Lograsso	Long
Ostmann	Portwood	Ridgeway		

VACANCIES: 001

Representative Kelly (27) offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting at the appropriate location the following section:

"452.377. 1. For purposes of this section and section 452.375, "relocate" or "relocation" means a change in the principal residence of a child for a period of ninety days or more, but does not include a temporary absence from the principal residence.

**2. Except as otherwise provided in subsection 3 of this section:**

(1) Notice of a proposed relocation of the residence of the child, or any party entitled to custody or visitation of the child, shall be given in writing by certified mail, return receipt requested, to any party with custody or visitation rights[. Absent exigent circumstances as determined by a court with jurisdiction, written notice shall be provided] at least sixty days in advance of the proposed relocation. The notice of the proposed relocation shall include the following information:

[(1)] (a) The intended new residence, including the specific address and mailing address, if known, and if not known, the city;

[(2)] (b) The home telephone number of the new residence, if known;

[(3)] (c) The date of the intended move or proposed relocation;

[(4)] (d) A brief statement of the specific reasons for the proposed relocation of a child, if applicable; and

[(5)] (e) A proposal for a revised schedule of custody or visitation with the child, if applicable[.

3.]; and

(2) A party required to give notice of a proposed relocation pursuant to **this** subsection [2 of this section] has a continuing duty to provide a change in or addition to the information required by this section as soon as such information becomes known.

[4. In exceptional circumstances where] **3. If any party believes circumstances that require immediate aid or action exist, including circumstances where the health or safety of any adult or child would be unreasonably placed at risk by providing the notice or disclosures required in subsection 2 of this section, the following procedure shall apply:**

(1) By January 1, 2003, the state courts administrator shall develop and adopt a uniform form for providing notice to a nonrelocating party of a proposed relocation with exigent circumstances. Such form shall be provided to each circuit clerk and shall contain, but is not limited to, the following:

(a) A description of the nature of the exigent circumstances;

(b) An estimate of the distance to the intended new resident in miles, rounded to the nearest fifty miles;

(c) Whether the relocation will change the school district of the child being relocated; and

(d) Notification to the nonrelocating party that the child may be relocated unless the party files a motion seeking an order to prevent the proposed relocation within thirty days after receipt of such notice.

**The current address and the specific intended new residence address of the relocating party shall not be provided to the nonrelocating party;**

(2) **The party believing exigent circumstances exist and the health or safety of any adult or child would be unreasonably placed at risk by providing the notice or disclosures required in subsection 2 of this section shall complete the uniform form created in subdivision (1) of this subsection and provide such limited notice to the nonrelocating party;**

(3) **If the nonrelocating party does not file a motion seeking an order to prevent the relocation within thirty days after receipt of the notice provided pursuant to this subsection, the residence of the child may be relocated immediately;**

(4) **If the nonrelocating party files a motion seeking an order to prevent the relocation within thirty days after receipt of the notice provided pursuant to this subsection, a hearing shall be held and if the court makes a finding that the health or safety of any adult or child would be unreasonably placed at risk by the disclosure of the required identifying information concerning a proposed relocation of the child, the court may order that:**

[(1)] (a) The specific residence address and telephone number of the child, parent or person, and other identifying information shall not be disclosed in the [pleadings, notice, other] documents filed in the proceeding or the

final order except for an in camera disclosure;

[(2)] (b) The notice requirements provided by this section shall be waived to the extent necessary to protect the health or safety of a child or any adult; or

[(3)] (c) Any other remedial action the court considers necessary to facilitate the legitimate needs of the parties and the best interest of the child[.];

[5.] (5) **If the court determines that the health or safety of any adult or child would not be reasonably placed at risk by the disclosure of the required identifying information concerning a proposed relocation of the child, the party shall comply with the disclosure requirements in this section.**

4. **Except as otherwise provided in subsection 3 of this section,** the court shall consider a failure to provide notice of a proposed relocation of a child **or any party entitled to custody or visitation of the child** as:

- (1) A factor in determining whether custody and visitation should be modified;
- (2) A basis for ordering the return of the child if the relocation occurs without notice; and
- (3) Sufficient cause to order the party seeking to relocate the child to pay reasonable expenses and attorneys fees incurred by the party objecting to the relocation.

[6. If the parties agree to a revised schedule of custody and visitation for the child, which includes a parenting plan, they may submit the terms of such agreement to the court with a written affidavit signed by all parties with custody or visitation assenting to the terms of the agreement, and the court may order the revised parenting plan and applicable visitation schedule without a hearing.

7.] 5. The residence of the child may be relocated sixty days after providing notice, as required by this section, unless a parent files a motion seeking an order to prevent the relocation within thirty days after receipt of such notice. Such motion shall be accompanied by an affidavit setting forth the specific factual basis supporting a prohibition of the relocation. The person seeking relocation shall file a response to the motion within fourteen days, unless extended by the court for good cause, and include a counter-affidavit setting forth the facts in support of the relocation as well as a proposed revised parenting plan for the child.

[8.] 6. If relocation of the child is proposed, a third party entitled by court order to legal custody of or visitation with a child and who is not a parent may file a cause of action to obtain a revised schedule of legal custody or visitation, but shall not prevent a relocation.

[9.] 7. The party seeking to relocate shall have the burden of proving that the proposed relocation is made in good faith and is in the best interest of the child.

[10. If relocation is permitted:

(1)] **The nonrelocating party shall provide sufficient evidence to support such party's opposition to the proposed relocation.**

8. **If the court finds that relocation is in the best interest of the child and will be permitted, the schedule of custody and visitation, including a parenting plan, shall be modified as follows:**

(1) **If the parties agree to a revised schedule of custody and visitation for the child, including a parenting plan, they may submit the terms of such agreement to the court with a written affidavit signed by all parties with custody or visitation assenting to the terms of the agreement, and the court may order the revised parenting plan and applicable visitation schedule without a hearing;**

(2) **If the parties cannot agree to a revised schedule of custody and visitation for the child, including a parenting plan, the revised parenting plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child. In the revised parenting plan:**

(a) The court shall order contact with the nonrelocating party including custody or visitation and telephone access sufficient to assure that the child has frequent, continuing and meaningful contact with the nonrelocating party unless the child's best interest warrants otherwise; and

[(2)] (b) The court shall specify how the transportation costs will be allocated between the parties and adjust the child support, as appropriate, considering the costs of transportation.

[11.] 9. After August 28, 1998, every court order establishing or modifying custody or visitation shall include the following language: "[Absent exigent circumstances as determined by a court with jurisdiction] **Unless limited notice is provided pursuant to subsection 3 of section 452.377, RSMo, and a court with jurisdiction determines that exigent circumstances exist, including circumstances where the health or safety of any adult or child would be unreasonably placed at risk by such notice or disclosure,** you, as a party to this action, are ordered to notify, in writing by certified mail, return receipt requested, and at least sixty days prior to the proposed relocation, each party to this action of **your relocation or** any proposed relocation of the principal residence of the child, including the following information:

- (1) The intended new residence, including the specific address and mailing address, if known, and if not known, the city;
- (2) The home telephone number of the new residence, if known;
- (3) The date of the intended move or proposed relocation;
- (4) A brief statement of the specific reasons for the proposed relocation of the child; and
- (5) A proposal for a revised schedule of custody or visitation with the child.

Your obligation to provide this information to each party continues as long as you or any other party by virtue of this order is entitled to custody of a child covered by this order. Your failure to obey the order of this court regarding the proposed relocation may result in further litigation to enforce such order, including contempt of court. In addition, your failure to notify a party of a relocation of the child may be considered in a proceeding to modify custody or visitation with the child. Reasonable costs and attorney fees may be assessed against you if you fail to give the required notice."

[12.] **10. Except as otherwise provided in subsection 3 of this section,** violation of the provisions of this section or a court order under this section may be deemed a change of circumstance under section 452.410, allowing the court to modify the prior custody decree. In addition, the court may utilize any and all powers relating to contempt conferred on it by law or rule of the Missouri supreme court.

[13.] **11.** Any party who objects in good faith to the relocation of a child's principal residence shall not be ordered to pay the costs and attorney's fees of the party seeking to relocate."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Crowell raised a point of order that **House Amendment No. 5** goes beyond the scope and is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Britt assumed the Chair.

Representative Byrd offered **House Amendment No. 1 to House Amendment No. 5**.

Representative Shields raised a point of order that **House Amendment No. 1 to House Amendment No. 5** is in the third degree.

The Chair ruled the point of order well taken.

On motion of Representative Kelly (27), **House Amendment No. 5** was adopted by the following vote:

AYES: 098

Abel	Baker	Barnett	Bartelsmeyer	Berkowitz
Berkstresser	Bland	Boatright	Boucher	Bowman
Bray 84	Britt	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crump	Cunningham	Curls	Daus	Davis
Fares	Franklin	Fraser	Gaskill	George
Green 15	Green 73	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Hohulin	Hoppe	Hosmer	Jetton
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Marsh	May 149

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Mays 50	McKenna	Merideth	Murphy	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Rizzo	Robirds	Ross	Scott	Secrest
Seigfreid	Shelton	Shields	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Villa
Vogel	Walker	Walton	Ward	Williams
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 042

Ballard	Barry 100	Bartle	Bearden	Behnen
Black	Bonner	Cierpiot	Cooper	Crawford
Crowell	Dempsey	Dolan	Enz	Farnen
Froelker	Gambaro	Graham	Gratz	Griesheimer
Hendrickson	Hollingsworth	Holt	Hunter	Johnson 90
King	Luetkemeyer	Mayer	Monaco	Moore
Nordwald	Phillips	Portwood	Quinn	Rector
Ridgeway	Roark	Schwab	Selby	Shoemyer
Surface	Wright			

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 021

Barnitz	Boykins	Brooks	Foley	Hagan-Harrell
Harlan	Holand	Koller	Luetkenhaus	Marble
Miller	Myers	Naeger	Purgason	Scheve
Shoemaker	Troupe	Van Zandt	Wagner	Whorton
Willoughby				

VACANCIES: 001

### Representative Willoughby offered **House Amendment No. 6.**

#### *House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 14, Section 210.001, Line 10 of said page, by inserting immediately after said line the following:

“210.115. 1. When any physician, medical examiner, coroner, dentist, chiropractor, optometrist, podiatrist, resident, intern, nurse, hospital or clinic personnel that are engaged in the examination, care, treatment or research of persons, and any other health practitioner, psychologist, mental health professional, social worker, day care center worker or other child-care worker, juvenile officer, probation or parole officer, jail or detention center personnel, teacher, principal or other school official, **minister as provided by Section 352.400, RSMo**, Christian Science practitioner, peace officer or law enforcement official, or other person with responsibility for the care of children has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, that person shall immediately report or cause a report to be made to the division in accordance with the provisions of sections 210.109 to 210.183. As used in this section, the term "abuse" is not limited to abuse inflicted by a person responsible for the child's care, custody and control as specified in section 210.110, but shall also include abuse inflicted by any other person.

2. Whenever such person is required to report pursuant to sections 210.109 to 210.183 in an official capacity

as a staff member of a medical institution, school facility, or other agency, whether public or private, the person in charge or a designated agent shall be notified immediately. The person in charge or a designated agent shall then become responsible for immediately making or causing such report to be made to the division. Nothing in this section, however, is meant to preclude any person from reporting abuse or neglect.

3. Notwithstanding any other provision of sections 210.109 to 210.183, any child who does not receive specified medical treatment by reason of the legitimate practice of the religious belief of the child's parents, guardian, or others legally responsible for the child, for that reason alone, shall not be found to be an abused or neglected child, and such parents, guardian or other persons legally responsible for the child shall not be entered into the central registry. However, the division may accept reports concerning such a child and may subsequently investigate or conduct a family assessment as a result of that report. Such an exception shall not limit the administrative or judicial authority of the state to ensure that medical services are provided to the child when the child's health requires it.

4. In addition to those persons and officials required to report actual or suspected abuse or neglect, any other person may report in accordance with sections 210.109 to 210.183 if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect.

5. Any person or official required to report pursuant to this section, including employees of the division, who has probable cause to suspect that a child who is or may be under the age of eighteen, who is eligible to receive a certificate of live birth, has died shall report that fact to the appropriate medical examiner or coroner. If, upon review of the circumstances and medical information, the medical examiner or coroner determines that the child died of natural causes while under medical care for an established natural disease, the coroner, medical examiner or physician shall notify the division of the child's death and that the child's attending physician shall be signing the death certificate. In all other cases, the medical examiner or coroner shall accept the report for investigation, shall immediately notify the division of the child's death as required in section 58.452, RSMo, and shall report the findings to the child fatality review panel established pursuant to section 210.192.

6. Any person or individual required to report may also report the suspicion of abuse or neglect to any law enforcement agency or juvenile office. Such report shall not, however, take the place of reporting or causing a report to be made to the division.

7. If an individual required to report suspected instances of abuse or neglect pursuant to this section has reason to believe that the victim of such abuse or neglect is a resident of another state or was injured as a result of an act which occurred in another state, the person required to report such abuse or neglect may, in lieu of reporting to the Missouri division of family services, make such a report to the child protection agency of the other state with the authority to receive such reports pursuant to the laws of such other state. If such agency accepts the report, no report is required to be made, but may be made, to the Missouri division of family services.”; and

Further amend said bill, Page 59, Section 294.141, Line 21 of said page, by inserting immediately after said line the following:

**“352.400. 1. As used in this section, the following words and phrases shall mean:**

**(1) “Abuse”, any physical injury, sexual abuse, or emotional abuse, injury or harm to a child under circumstances required to be reported pursuant to sections 210.109 to 210.183, RSMo;**

**(2) “Child”, any person regardless of physical or mental condition, under eighteen years of age;**

**(3) “Minister”, any person while practicing as a minister of the gospel, clergyperson, priest, rabbi, or other person serving in a similar capacity for any religious organization who is responsible for or who has supervisory authority over one who is responsible for the care, custody, and control of a child or has access to a child.**

**(4) “Neglect”, failure to provide the proper or necessary support or services by those responsible for the care, custody, and control of a child, under circumstances required to be reported pursuant to sections 210.109 to 210.183, RSMo;**

**(5) “Religious organization”, any society, sect, persuasion, mission, church, parish, congregation, temple, convention or association of any of the foregoing, diocese or presbytery, or other organization, whether or not incorporated, that meets at more or less regular intervals for worship of a supreme being or higher power, or for mutual support or edification in piety or with respect to the idea that a minimum standard of behavior from the standpoint of overall morality is to be observed, or for the sharing of common religious bonds and convictions;**

(6) "Report", the communication of an allegation of abuse or neglect pursuant to sections 210.109 to 210.183, RSMo.

2. When a minister or agent designated pursuant to subsection 3 of this section has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect under circumstances required to be reported pursuant to sections 210.109 to 210.183, RSMo, the minister or designated agent shall immediately report or cause a report to be made as provided in sections 210.109 to 210.183, RSMo. Notwithstanding any other provision of this section or sections 210.109 to 210.183, RSMo, a minister shall not be required to report concerning a privileged communication made to him or her in his or her professional capacity.

3. A religious organization may designate an agent or agents required to report pursuant to sections 210.109 to 210.183, RSMo, in an official capacity on behalf of the religious organization. In the event a minister, official or staff member of a religious organization has probable cause to believe that the child has been subjected to abuse or neglect under circumstances required to be reported pursuant to sections 210.109 to 210.183, RSMo, and the minister, official or staff member of the religious organization does not personally make a report pursuant to sections 210.109 to 210.183, RSMo, the designated agent of the religious organization shall be notified. The designated agent shall then become responsible for making or causing the report to be made pursuant to sections 210.109 to 210.183, RSMo. This section shall not preclude any person from reporting abuse or neglect as otherwise provided by law."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Willoughby, **House Amendment No. 6** was adopted.

Representative Portwood offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting at the appropriate location the following section:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a handling fee of fifteen dollars plus a fee of thirty-five cents per page for copies of documents made on a standard photocopy machine.

2. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of medical record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

3. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

4. Effective February first of each year, the handling fee and per page fee listed in subsection 1 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for all urban consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted handling and per page fees on the department's Internet website by February first of each year.

[191.233. The limits provided in section 191.227 shall be increased or decreased on an annual basis effective January first of each year in accordance with the Health Care Financing Administration Market Basket Survey.]; and



Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 7** was adopted.

Representative Sanders Brooks offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting in the appropriate location all of the following:

“196.230. **1.** The director of the department of health **and senior services** and [his] **the director's** assistants or agents [by him] appointed **by the director**, the state, county, city and town health officers shall have full power at any time to enter and inspect every building, room, basement or cellar, occupied or used, or suspected of being used, for the production for sale, manufacture for sale, storage, sale, distribution or transportation of food and all utensils, fixtures, furniture and machinery used as aforesaid, and if upon inspection any food producing or distributing establishment, conveyance, employer, operative, employee, clerk, driver or other person is found to be violating any of the provisions of sections 196.190 to 196.265, or if the production, cooking, preparation, manufacture, packing, storing, sale, distribution or transportation of food is being conducted in a manner detrimental to the health of the employees and operatives and the character or quality of the food therein being produced, manufactured, packed, stored, sold, distributed or conveyed, the officer or inspector, making the examination or inspection, shall furnish evidence of [said] **such** violation to the prosecuting attorney of the county in which the violation occurs, and it shall be the duty of all prosecuting attorneys to represent and prosecute, in behalf of the people, when called upon by the director of the department of health **and senior services** to do so, all such cases of offenses arising [under] **pursuant to** the provisions of sections 196.190 to 196.265. When complaint is made by the [said] director of the department of health **and senior services**, security for costs shall not be required of the complainant in any case at any time of the prosecution or trial.

**2. All state, county and municipal health officials or inspectors shall utilize the most recent Missouri Food Code for the inspection of entities listed in subsection 1 of this section.**

**3. The department of health shall notify its division of nutritional health and services of any violation of sections 196.190 to 196.265 by a grocery store that is found during an inspection conducted pursuant to subsection 1 of this section.**

**196.232. Any grocery store, convenience store or food distributing establishment that redeems state-issued Women, Infant and Children (WIC) food instruments and receives two unsatisfactory health examinations or inspections from the department of health within a three-year period shall be disqualified from the WIC program for a period of not less than six months and not more than one year. Such stores or establishments shall also be subject to any other administrative remedies available under the WIC program.**

**196.235. Any person who violates any of the provisions of sections 196.190 to 196.230, shall be guilty of a misdemeanor, and, on conviction, shall be punished for the first offense by a fine of not less than [ten] **twenty** dollars nor more than one hundred dollars **a day for each day such violation is not corrected**, or be imprisoned in the county jail not exceeding thirty days, or both, in the discretion of the court.”; and**

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Seigfreid raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Sanders Brooks, **House Amendment No. 8** was adopted.

Representative Boatright offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 43, Section 294.011, Line 1, by deleting all of said line.

Representative Boatright moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Bland offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting in the appropriate location the following section:

**"208.344. 1. By December 1, 2002, and annually thereafter, the division of family services shall submit a report to the governor, the president pro tempore of the senate, and the speaker of the house of representatives regarding the progress of welfare reform in Missouri. The report shall include, but not be limited to, current statistics and recommendations regarding:**

- (1) Individuals who have successfully left welfare and employment of such individuals;**
  - (2) Individuals who remain on or have returned to welfare; and**
  - (3) Benefits of welfare reform realized by families, employers, and the state.**
- 2. The provisions of this section shall expire on December 31, 2007."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bland, **House Amendment No. 10** was adopted.

Representative Roark offered **House Amendment No. 11.**

Representative Monaco raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Johnson (90) offered **House Amendment No. 11.**

*House Amendment No. 11*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, by inserting at the appropriate location the following section:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, **or copy service for said provider**, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, **or any person entitled to bring an action for wrongful death of a deceased patient pursuant to Section 537.080, RSMo**, furnish a copy of his record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within [a reasonable time] **60 days** of the receipt of the request therefor and upon payment of a handling fee of fifteen dollars plus a fee of thirty-five cents per page [for copies of documents made on a standard photocopy machine].

2. [Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of medical record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.] **Any provider who does not furnish records within 60 days of the receipt of the request therefor shall forfeit the handling fee, the per page copy fee and, in addition, shall pay the person who requested said records a penalty in the amount of fifteen dollars plus thirty-five cents per page per day commencing on the 61<sup>st</sup> day until such date as the records shall be furnished.**

3. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section."

On motion of Representative Johnson (90), **House Amendment No. 11** was adopted.

Representative Cunningham offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, Page 43, Section 7, Line 16, by deleting [under the direct control] and inserting "**with the permission**"; and deleting Line 17 beginning with "and" through Page 44, Line 21; and

Further amend said bill by deleting Page 45, Line 20, to Page 46, Line 13; and delete Page 46, Line 18, after the word "division" to Page 46, Line 21; and

Further amend said bill by deleting Page 47, Line 8, through Page 47, Line 16.

Representative Cunningham moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Barnett	Bartle	Bearden	Behnen	Berkstresser
Black	Boatright	Burcham	Byrd	Cierpiot
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Gaskill	Gratz	Griesheimer	Hanaway
Hegeman	Hendrickson	Holt	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Murphy	Myers	Naeger	Ostmann
Phillips	Quinn	Reid	Richardson	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	Shoemaker	St. Onge	Surface	Townley
Vogel				

NOES: 070

Abel	Barnitz	Barry 100	Bartelsmeyer	Berkowitz
Bland	Bonner	Boucher	Bowman	Bray 84
Britt	Campbell	Carnahan	Champion	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Farnen	Foley	Franklin	Fraser	Gambara
George	Graham	Green 15	Hampton	Harding
Haywood	Hickey	Hollingsworth	Hoppe	Johnson 90
Jolly	Jones	Kelly 27	Kelly 36	Liese
Lowe	Mays 50	Merideth	Monaco	O'Toole
Overschmidt	Paone	Ransdall	Relford	Reynolds
Rizzo	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Van Zandt
Villa	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 036

Baker	Ballard	Boykins	Brooks	Burton
Cooper	Crawford	Froelker	Green 73	Hagan-Harrell
Harlan	Hartzler	Henderson	Hilgemann	Hohulin
Holand	Hosmer	Hunter	Johnson 61	Koller
Lawson	Long	Luetkenhaus	McKenna	Moore
Nordwald	O'Connor	Portwood	Purgason	Rector
Reinhart	Ridgeway	Scheve	Troupe	Wagner
Wright				

VACANCIES: 001

**HCS SS SCS SBs 923, 828, 876, 694 & 736, with HS, as amended, pending, was laid over.**

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HB 1898**: Senators Russell, Rohrbach, Gibbons, Goode and Mathewson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SCS SBs 1061 & 1062, as amended**: Senators Rohrbach, Kenney, Klindt, Mathewson and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 77**.

### SENATE CONCURRENT RESOLUTION NO. 77

WHEREAS, the general assembly is continually asked to act upon measures dealing with complex and controversial subjects; and

WHEREAS, such measures frequently require lengthy and comprehensive study and evaluation; and

WHEREAS, the committee system of evaluation of proposed legislation has proven its worth time and again to the entire membership of the general assembly:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, that the standing committees of each house and such other committees of the Senate and House of Representatives as the president pro tem or the speaker shall designate may meet with the approval of the president pro tem or speaker, as the case may be, to consider bills or to perform any other necessary legislative function during the interim prior to the convening of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the members of each committee incurred while attending meetings of those committees, and the expenses of the research and clerical personnel assigned thereto, be paid from the appropriate House or Senate contingent fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has allowed the Senate conferees to exceed the differences on **HS HCS SS SCS SBs 670 & 684, as amended.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 1502 & 1821**, entitled:

An act to amend chapter 375, RSMo, by adding thereto one new section relating to credit information used in insurance underwriting.

In which the concurrence of the House is respectfully requested.

On motion of Representative Crump, the House recessed until 1:15 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Abel.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2045

through

House Resolution No. 2048 - Representatives Williams and Berkstresser

House Resolution No. 2049 - Representative Lawson

House Resolution No. 2050

through

House Resolution No. 2058 - Representative Portwood

House Resolution No. 2059 - Representative Boucher

House Resolution No. 2060 - Representative Legan

House Resolution No. 2061 - Representative Harding

House Resolution No. 2062 - Representative Ward

House Resolution No. 2063 - Representative Bland

House Resolution No. 2064

through

House Resolution No. 2072 - Representative Whorton

House Resolution No. 2073 - Representative Townley

House Resolution No. 2074

and

House Resolution No. 2075 - Representative Shelton

House Resolution No. 2076 - Representative Bearden

House Resolution No. 2077 - Representatives Miller, Moore and Berkstresser

House Resolution No. 2078

and

House Resolution No. 2079 - Representative Rector

House Resolution No. 2080 - Representative Boucher

House Resolution No. 2081 - Representative Green (73)

House Resolution No. 2082 - Representative Legan

House Resolution No. 2083

through

House Resolution No. 2085 - Representative Scott

### COMMITTEE REPORTS

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS SB 665 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCS SBs 1112 & 854 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SCS SB 916 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SB 989 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS#2 SB 1191 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### THIRD READING OF SENATE BILL - CONSENT

**SB 831**, relating to Bill of Rights Day, was taken up by Representative Gambaro.

On motion of Representative Gambaro, **SB 831** was truly agreed to and finally passed by the following vote:

AYES: 146

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Berkstresser	Enz	Franklin	Green 73
Harlan	Hickey	Hilgemann	Hohulin	Holand
Luetkenhaus	Mays 50	Murphy	Shields	Surface
Van Zandt				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**BILL IN CONFERENCE**

**CCR HS HCS SB 895, as amended**, relating to banking regulations, was taken up by Representative Liese.

On motion of Representative Liese, **CCR HS HCS SB 895, as amended**, was adopted by the following vote:

AYES: 147

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Enz	Fares	Foley	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reinhart	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Shelton	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 005

Farnen	Selby	Smith	Troupe	Wagner
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PRESENT: 000

ABSENT WITH LEAVE: 010

Dolan	Franklin	Green 73	Harlan	Hickey
Hohulin	Murphy	Reid	Relford	Shields

VACANCIES: 001

On motion of Representative Liese, **CCS HS HCS SB 895** was truly agreed to and finally passed by the following vote:



AYES: 143

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Foley	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Long	Lowe
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Shelton	Shoemaker	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Van Zandt	Villa	Vogel	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 006

Farnen	Relford	Selby	Smith	Troupe
Wagner				

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Byrd	Dolan	Franklin	Harlan
Henderson	Hohulin	Marble	Murphy	Reid
Reinhart	Shields	Treadway		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS#2 SCS HB 1348, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that Senator Schneider has replaced Senator Mathewson to act with a like committee from the House on **SS SCS HS HCS HB 1962, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SCS SBs 670 & 684, as amended**: Senators Sims, Singleton, Kinder, Stoll and House.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SCS SB 680, as amended**: Senators Bland, Dougherty, Steelman, Klindt and Rohrbach.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SS#2 SCS HB 1348**: Representatives Berkowitz, Shoemyer (9), Barnitz, Myers and Legan  
**HS HCS SS SCS SBs 670 & 684**: Representatives Harlan, Hosmer, Ladd Baker, Richardson and Byrd

### **MOTION**

Representative Myers moved that the House grant leave to the members of the House Conference Committee on **SS#2 SCS HB 1348, as amended**, pursuant to Rule 26.

Which motion was adopted.

### **HOUSE BILL WITH SENATE AMENDMENT**

**SS SCS HS HCS HBs 1502 & 1821**, relating to insurance companies, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SS SCS HS HCS HBs 1502 & 1821** was adopted by the following vote:

AYES: 127

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Bonner	Boucher	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Farnen

Foley	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Hegeman	Henderson	Hendrickson	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Luetkemeyer	Luetkenhaus	Marble	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Moore	Myers	Nordwald	O'Connor	O'Toole
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	St. Onge
Thompson	Treadway	Van Zandt	Villa	Vogel
Walker	Ward	Whorton	Willoughby	Wilson 42
Wright	Mr. Speaker			

NOES: 020

Bartelsmeyer	Bland	Boykins	Clayton	Fares
Fraser	Haywood	Hosmer	Johnson 61	Marsh
Mays 50	Murphy	Robirds	Smith	Surface
Townley	Troupe	Walton	Williams	Wilson 25

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Berkowitz	Bowman	Cierpiot	Franklin
Harlan	Hickey	Lowe	Naeger	Ostmann
Paone	Schwab	Shelton	Skaggs	Wagner

VACANCIES: 001

On motion of Representative Luetkenhaus, **SS SCS HS HCS HBs 1502 & 1821** was truly agreed to and finally passed by the following vote:

AYES: 124

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartle	Bearden	Behnen	Berkowitz	Black
Boatright	Bonner	Boucher	Bray 84	Britt
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Daus	Davis	Dempsey
Dolan	Enz	Farnen	Foley	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hunter	Jetton	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Liese	Linton
Lograsso	Long	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	McKenna	Merideth	Miller

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Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shields	Shoemaker	Shoemyer	St. Onge
Townley	Treadway	Villa	Vogel	Ward
Whorton	Wilson 25	Wright	Mr. Speaker	

NOES: 021

Bartelsmeyer	Bland	Boykins	Brooks	Clayton
Curls	Fares	Haywood	Hosmer	Johnson 61
Jones	Marsh	Mays 50	Murphy	Smith
Surface	Thompson	Troupe	Walker	Walton
Williams				

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker	Berkstresser	Bowman	Cierpiot	Franklin
Harding	Harlan	Hickey	Legan	Lowe
Robirds	Shelton	Skaggs	Van Zandt	Wagner
Willoughby	Wilson 42			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

### **BILL IN CONFERENCE**

**HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, relating to sex crimes and crime prevention, was taken up by Representative Hanaway.

Representative Hanaway moved that the House conferees be no longer bound to **House Amendment No. 2** to **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, and grant the Senate a further conference.

Representative Reynolds raised a point of order that the motion to no longer bind the House conferees to House Amendment No. 2 is out of order.

The Chair ruled the point of order not well taken.

Representative Hanaway again moved that the House conferees be no longer bound to **House Amendment No. 2** to **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, and grant the Senate a further conference.

Which motion was adopted by the following vote:

AYES: 087

Abel	Ballard	Barnett	Barry 100	Bartelsmeyer
Berkowitz	Berkstresser	Black	Bland	Boatright
Boucher	Bowman	Bray 84	Britt	Brooks
Byrd	Campbell	Carnahan	Cierpiot	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Fraser	Gaskill	Hagan-Harrell	Hanaway	Harding
Hartzler	Hegeman	Hilgemann	Hohulin	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
King	Legan	Lograsso	Long	Lowe
Luetkemeyer	Marble	May 149	Mayer	Mays 50
Miller	Moore	Myers	O'Toole	Ostmann
Phillips	Purgason	Quinn	Ransdall	Reid
Reinhart	Relford	Ridgeway	Robirds	Ross
Scheve	Schwab	Scott	Seigfreid	Shelton
Shoemaker	Skaggs	Smith	St. Onge	Thompson
Van Zandt	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 046

Barnitz	Bartle	Bearden	Behnen	Boykins
Burcham	Burton	Champion	Cooper	Crawford
Crowell	Dempsey	George	Gratz	Green 15
Green 73	Griesheimer	Hampton	Hendrickson	Hickey
Holt	Hoppe	Kelley 47	Kelly 36	Koller
Lawson	Linton	Luetkenhaus	McKenna	Nordwald
O'Connor	Overschmidt	Paone	Portwood	Rector
Reynolds	Roark	Selby	Shoemyer	Surface
Townley	Treadway	Villa	Vogel	Wagner
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 029

Baker	Bonner	Cunningham	Franklin	Froelker
Gambaro	Graham	Harlan	Haywood	Henderson
Holand	Hollingsworth	Hosmer	Hunter	Kelly 144
Liese	Marsh	Merideth	Monaco	Murphy
Naeger	Richardson	Rizzo	Secrest	Shields
Troupe	Walker	Walton	Ward	

VACANCIES: 001

Representative Reynolds requested a verification of the roll call on the motion to no longer bind the House conferees to **House Amendment No. 2 to HS#2 HCS SS SCS SBs 969, 673 & 855, as amended.**

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has allowed the Senate conferees to exceed the differences on **HS HCS SS SB 1248, as amended.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate requests the House grant further conference on **HS SB 1220, as amended**, and that the Senate conferees are allowed to exceed the differences with regard to limiting the number of race tracks.

### **MOTIONS**

Representative Foley moved that the House Conference Committee on **HS HCS SS SB 1248, as amended**, be allowed to exceed the differences.

Which motion was adopted.

Representative Foley moved that the House grant leave to the members of the House Conference Committee on **HS HCS SS SB 1248, as amended**, pursuant to Rule 26.

Which motion was adopted.

### **BILL IN CONFERENCE**

**HS SB 1220, as amended**, relating to the Gaming Commission, was taken up by Representative O'Toole.

Representative O'Toole moved that the House grant the Senate a further conference on **HS SB 1220, as amended**, and the conferees be allowed to exceed the differences with regard to limiting the number of race tracks.

Representative Scheve assumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

Representative Kelley (47) made a substitute motion that the House grant the Senate a further conference on **HS SB 1220, as amended**, and the conferees be allowed to exceed the differences on the number of tracks and on age, and bind the conferees to the House position on House Amendment No. 2.

Representative O'Toole raised a point of order that the substitute motion is dilatory.

The Chair ruled the point of order not well taken.

Representative Kelley (47) again moved that the substitute motion be adopted, which motion was defeated by the following vote:

AYES: 071

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Boatright
Bray 84	Burcham	Burton	Campbell	Champion
Cierpiot	Crawford	Crowell	Cunningham	Dempsey
Enz	Froelker	Gaskill	Griesheimer	Hanaway
Harding	Hartzler	Hegeman	Henderson	Hendrickson
Hunter	Jetton	Jolly	Kelley 47	Kelly 27
Kelly 36	King	Legan	Linton	Lograsso
Long	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Nordwald
Phillips	Quinn	Rector	Reid	Reinhart
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	St. Onge
Surface	Townley	Treadway	Van Zandt	Vogel
Wright				

NOES: 083

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Carnahan	Clayton	Cooper	Copenhaver
Crump	Curls	Daus	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jones	Kelly 144	Koller
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	Naeger	O'Toole	Ostmann
Overschmidt	Paone	Portwood	Ransdall	Relford
Reynolds	Richardson	Rizzo	Scheve	Seigfreid
Selby	Shelton	Shoemyer	Skaggs	Smith
Thompson	Troupe	Villa	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Byrd	Harlan	Hohulin	Holand	Lawson
Luetkemeyer	O'Connor	Purgason		

VACANCIES: 001

Representative O'Toole again moved that the House grant the Senate a further conference on **HS SB 1220, as amended**, and allow the conferees to exceed the differences with regard to limiting the number of race tracks.

Which motion was adopted by the following vote:

AYES: 081

Abel	Barnitz	Barry 100	Berkowitz	Bonner
Boucher	Boykins	Britt	Byrd	Carnahan
Clayton	Copenhaver	Crump	Curls	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harlan	Haywood	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Kelly 144
Kelly 36	King	Koller	Legan	Liese
Lowe	Luetkenhaus	Marsh	Mays 50	McKenna
Merideth	Monaco	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Ransdall
Relford	Reynolds	Richardson	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 075

Baker	Ballard	Barnett	Bartelsmeyer	Bartle
Bearden	Behnen	Berkstresser	Black	Bland
Boatright	Bowman	Bray 84	Brooks	Burcham
Burton	Campbell	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Daus	Enz
Froelker	Gaskill	Griesheimer	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Holand
Hunter	Jetton	Jolly	Jones	Kelley 47
Kelly 27	Linton	Lograsso	Long	Marble
May 149	Mayer	Miller	Moore	Murphy
Myers	Nordwald	Phillips	Quinn	Rector
Reid	Reinhart	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shields
Shoemaker	Smith	St. Onge	Surface	Townley
Treadway	Troupe	Van Zandt	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 006

Hickey	Hohulin	Lawson	Luetkemeyer	Purgason
Thompson				

VACANCIES: 001

## APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HS HCS SCS SB 680:** Representatives Barry, Campbell, Kelly (27), Miller and Bartelsmeyer

**HS#2 HCS SS SCS SBs 969, 673 & 855:** Representatives Smith, Hosmer, Britt, Mayer and Hendrickson



## BILL CARRYING REQUEST MESSAGE

**HS SS#2 SCS SBs 984 & 985**, relating to the Department of Natural Resources, was taken up by Representative Merideth.

Representative Merideth moved that the House refuse to recede from its position on **HS SS #2 SCS SBs 984 & 985** and grant the Senate a conference.

Which motion was adopted.

## BILLS IN CONFERENCE

**CCR HCS SCS SB 1202**, relating to the motor carrier services unit, was taken up by Representative Koller.

On motion of Representative Koller, **CCR HCS SCS SB 1202** was adopted by the following vote:

AYES: 151

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

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NOES: 004

Bray 84	Campbell	Murphy	Van Zandt
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PRESENT: 000

ABSENT WITH LEAVE: 007

Baker	Cooper	Harlan	Hickey	Purgason
Reid	Thompson			

VACANCIES: 001

On motion of Representative Koller, **CCS HCS SCS SB 1202** was truly agreed to and finally passed by the following vote:

AYES: 152

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 003

Bray 84	Campbell	Van Zandt
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PRESENT: 000

ABSENT WITH LEAVE: 007

Ballard	Cooper	Harlan	Hickey	Murphy
Purgason	Thompson			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Abel	Barnett	Barnitz	Barry 100	Bearden
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burton	Campbell	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 36	King	Koller	Lawson
Legan	Liese	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Quinn	Ransdall
Reinhart	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 024

Bartle	Behnen	Burcham	Byrd	Cierpiot
Crawford	Crowell	Cunningham	Enz	Froelker
Hendrickson	Hunter	Jetton	Kelly 144	Linton
Lograsso	Mayer	Murphy	Phillips	Portwood
Rector	Ridgeway	Roark	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Ballard	Bartelsmeyer	Bray 84	Champion
Cooper	Harlan	Kelly 27	Purgason	Reid
Thompson	Van Zandt			

VACANCIES: 001

Representative Koller moved that the House grant leave to the members of the House Conference Committee on **HS SCS SBs 915, 710 & 907, as amended**, pursuant to Rule 26.

Which motion was adopted.

Representative Koller moved that the House grant leave to the members of the House Conference Committee on **HS HCS SS SS SCS SBs 970, 968, 921, 867, 868 & 738**, pursuant to Rule 26.

Which motion was adopted.

Representative Britt resumed the Chair.

**CCR SCS HB 1313**, relating to physical therapy, was taken up by Representative Burton.

On motion of Representative Burton, **CCR SCS HB 1313** was adopted by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Shoemyer	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 002

Hagan-Harrell	Murphy
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PRESENT: 001

Seigfreid

ABSENT WITH LEAVE: 011

Cierpiot	Cooper	Froelker	Green 15	Green 73
Harlan	Hilgemann	Hohulin	Long	Purgason
Skaggs				

VACANCIES: 001

On motion of Representative Burton, **CCS SCS HB 1313** was read the third time and passed by the following vote:

AYES: 149

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Cierpiot	Cooper	Dolan	Franklin	Green 73
Harlan	Hickey	Hohulin	Long	Paone
Purgason	Skaggs	Wright		

VACANCIES: 001

Representative Britt declared the bill passed.

**CCR HS HCS SCS SB 712, as amended**, relating to state emergency health powers, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **CCR HS HCS SCS SB 712, as amended**, was adopted by the following vote:

AYES: 100

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Berkowitz	Bonner	Boucher	Boykins
Bray 84	Britt	Burcham	Burton	Carnahan
Champion	Clayton	Copenhaver	Crump	Curls
Daus	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Green 15
Hagan-Harrell	Hampton	Harding	Hartzler	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 90	Jolly	Kelley 47
Kelly 144	Kelly 36	Koller	Legan	Liese
Lowe	Luetkenhaus	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Ransdall
Reid	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scott	Seigfreid
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Williams	Willoughby	Wilson 25	Mr. Speaker

NOES: 054

Bartelsmeyer	Bartle	Bearden	Behnen	Black
Bland	Boatright	Bowman	Brooks	Byrd
Campbell	Cierpiot	Cooper	Crawford	Crowell
Cunningham	Dempsey	Gratz	Griesheimer	Hanaway
Haywood	Henderson	Hendrickson	Hunter	Jetton
Johnson 61	Jones	Kelly 27	King	Lawson
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Murphy	Myers	Naeger	Nordwald
Portwood	Quinn	Rector	Reinhart	Roark
Schwab	Secrest	Selby	St. Onge	Townley
Walker	Whorton	Wilson 42	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkstresser	Green 73	Harlan	Hohulin	Long
Ostmann	Purgason	Scheve		

VACANCIES: 001

On motion of Representative O'Toole, **CCS HS HCS SCS SB 712**, was truly agreed to and finally passed by the following vote:

AYES: 102

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Berkowitz	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burton
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	Gaskill	George	Graham
Green 15	Hagan-Harrell	Hampton	Harding	Hartzler
Hegeman	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
Koller	Lawson	Legan	Liese	Lowe
Luetkenhaus	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Reid	Relford
Reynolds	Richardson	Rizzo	Ross	Scheve
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Smith	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 049

Bartle	Bearden	Behnen	Berkstresser	Black
Boatright	Brooks	Burcham	Byrd	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Froelker	Gratz	Griesheimer	Hanaway	Haywood
Henderson	Hendrickson	Jetton	Jones	King
Linton	Lograsso	Luetkemeyer	Marble	Marsh
May 149	Murphy	Myers	Naeger	Nordwald
Phillips	Portwood	Quinn	Rector	Reinhart
Ridgeway	Roark	Robirds	Schwab	Secrest
St. Onge	Townley	Walker	Whorton	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bartelsmeyer	Green 73	Harlan	Hohulin	Hunter
Long	Ostmann	Purgason	Shoemaker	Skaggs
Wright				

VACANCIES: 001

Representative Britt declared the bill passed.

**CCR HS SCS SB 1026, as amended**, relating to health insurance, was taken up by Representative Barry.

On motion of Representative Barry, **CCR HS SCS SB 1026, as amended**, was adopted by the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Curts	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Bartelsmeyer	Boykins	Crump	Franklin	Green 73
Harlan	Hohulin	Long	Ostmann	Purgason
Reid	Skaggs	Wagner	Wright	

VACANCIES: 001

On motion of Representative Barry, **CCS HS SCS SB 1026**, was truly agreed to and finally passed by the following vote:



AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Fraser	Gambaro
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Paone	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Smith	St. Onge	Surface	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Bartelsmeyer	Boykins	Franklin	Froelker	Gaskill
Green 73	Harlan	Hohulin	Long	Murphy
Ostmann	Phillips	Purgason	Schwab	Skaggs
Thompson	Van Zandt	Wright		

VACANCIES: 001

Representative Britt declared the bill passed.

**CCR HS HCS SCS SB 810, as amended**, relating to the Utilicare Program, was taken up by Representative Ladd Baker.

On motion of Representative Ladd Baker, **CCR HS HCS SCS SB 810, as amended**, was adopted by the following vote:

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AYES: 124

Abel	Baker	Barnett	Barnitz	Barry 100
Bartle	Bearden	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Hartzler	Haywood	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 27	Kelly 36	King	Koller
Liese	Linton	Lograsso	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mayer	Mays 50
McKenna	Merideth	Monaco	Moore	Myers
Naeger	O'Connor	O'Toole	Overschmidt	Paone
Portwood	Quinn	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Ross	Secrest
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 028

Bartelsmeyer	Behnen	Boatright	Burcham	Cooper
Davis	Froelker	Griesheimer	Hegeman	Hunter
Jetton	Kelly 144	Lawson	Legan	Marsh
Miller	Nordwald	Phillips	Ransdall	Rector
Richardson	Roark	Robirds	Schwab	Scott
Shields	Townley	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Ballard	Harding	Harlan	Hohulin	Long
Murphy	Ostmann	Purgason	Scheve	Shoemaker

VACANCIES: 001

On motion of Representative Ladd Baker, **HS HCS SCS SB 810, as amended by the CCR,** was truly agreed to and finally passed by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Clayton	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls

Daus	Davis	Dempsey	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 005

Ballard	Behnen	Boatright	Phillips	Roark
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PRESENT: 000

ABSENT WITH LEAVE: 016

Boykins	Byrd	Cierpiot	Cooper	Dolan
Hickey	Hohulin	Hunter	Kelly 144	Long
Murphy	Myers	Ostmann	Paone	Purgason
Scheve				

VACANCIES: 001

Representative Britt declared the bill passed.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HS SS#2 SCS SBs 984 & 985:** Representatives Merideth, Ransdall, Barnitz, Marble and Kelly (144)

### CONFERENCE COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Bartelsmeyer is no longer a member of the House Conference Committee on **HS HCS SCS SB 680, as amended.**

Representative Holand has been appointed a member of the House Conference Committee on **HS HCS SCS SB 680, as amended.**

### THIRD READING OF SENATE BILLS

**HCS SS SCS SBs 923, 828, 876, 694 & 736, with HS, as amended, pending,** relating to children and families, was again taken up by Representative Barry.

Representative Hosmer offered **House Amendment No. 13.**

Representative Seigfreid raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Pro Tem Abel resumed the Chair.

On motion of Representative Barry, **HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended,** was adopted.

On motion of Representative Barry, **HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended,** was read the third time and passed by the following vote:

AYES: 100

Abel	Barnitz	Barry 100	Bartelsmeyer	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Dolan	Fares	Farnen	Foley
Franklin	Fraser	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 27	Kelly 36	King	Liese	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mays 50	McKenna	Monaco	Moore	O'Connor
Ostmann	Overschmidt	Paone	Ransdall	Reid

Relford	Reynolds	Ridgeway	Rizzo	Ross
Scheve	Shelton	Shields	Shoemyer	Skaggs
Smith	Thompson	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 050

Barnett	Bartle	Behnen	Boatright	Burcham
Cooper	Crawford	Crowell	Cunningham	Dempsey
Enz	Froelker	Gambaro	Gaskill	Griesheimer
Hartzler	Hegeman	Hendrickson	Hunter	Jetton
Kelley 47	Kelly 144	Koller	Legan	Linton
Marble	Mayer	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Phillips	Portwood
Quinn	Rector	Reinhart	Richardson	Roark
Robirds	Schwab	Scott	Selby	Shoemaker
St. Onge	Surface	Townley	Troupe	Wright

PRESENT: 001

Seigfreid

ABSENT WITH LEAVE: 011

Baker	Ballard	Boykins	Cierpiot	Hohulin
Lawson	Long	O'Toole	Purgason	Secrest
Treadway				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**HCS SS SCS SB 1107**, relating to emergency services, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SS SCS SB 1107**.

Representative Hoppe offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 63, Section 190.528, Lines 3 to 7 of said page, by deleting all of said lines and inserting in lieu thereof the following:

**"strict as the minimum state standards, and no such regulations or ordinances shall";** and

Further amend said bill, Page 63, Section 190.528, Line 10 of said page, by deleting the year **"2001"** and inserting in lieu thereof the year **"2002"**; and

Further amend said bill, Page 63, Section 190.528, Line 12, by deleting the year **"2001"** and inserting in lieu thereof the year **"2002"**; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hoppe, **House Amendment No. 1** was adopted.

Representative Clayton offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, by inserting in the appropriate location:

**“Section 2. Any county that has established an emergency telephone service 911 board pursuant to section 190.309, may impose a county sales tax pursuant to subsection 1 to 7 of section 190.335, in lieu of tax imposed pursuant to section 190.305, and shall not be required to establish a board pursuant to subsections 8 to 10 of section 190.335, RSMo.”; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Clayton, **House Amendment No. 2** was adopted.

Representative Ostmann offered **House Amendment No. 3**.

**House Amendment No. 3** was withdrawn.

Representative Fraser offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, by inserting in the appropriate location all of the following:

**“190.246. 1. As used in this section, the following terms shall mean:**

**(1) "Eligible person, firm, organization or other entity", an ambulance service or emergency medical response agency, a certified first responder, emergency medical technical-basic or emergency medical technician paramedic who is employed by, or an enrolled member, person, firm, organization or entity designated by, rule of the department of health and senior services in consultation with other appropriate agencies. All such eligible persons, firms, organizations or other entities shall be subject to the rules promulgated by the director of the department of health and senior services;**

**(2) "Emergency health care provider":**

**(a) A physician licensed pursuant to chapter 334, RSMo, with knowledge and experience in the delivery of emergency care; or**

**(b) A hospital licensed pursuant to chapter 197, RSMo, that provides emergency care.**

**2. Possession and use of epinephrine auto-injector devices shall be limited as follows:**

**(1) No person shall use an epinephrine auto-injector device unless such person has successfully completed a training course in the use of epinephrine auto-injector devices approved by the director of the department of health and senior services. Nothing in this section shall prohibit the use of an epinephrine auto-injector device:**

**(a) By a health care professional licensed or certified by this state who is acting within the scope of his or her practice; or**

**(b) By a person acting pursuant to a lawful prescription;**

**(2) Every person, firm, organization and entity authorized to possess and use epinephrine auto-injector devices pursuant to this section shall use, maintain and dispose of such devices in accordance with the rules of the department;**

**(3) Every use of an epinephrine auto-injector device pursuant to this section shall immediately be reported to the emergency health care provider.**

**3. (1) Use of an epinephrine auto-injector device pursuant to this section shall be considered first aid or emergency treatment for the purpose of any law relating to liability.**

**(2) Purchase, acquisition, possession or use of an epinephrine auto-injector device pursuant to this section shall not constitute the unlawful practice of medicine or the unlawful practice of a profession.**

**(3) Any person otherwise authorized to sell or provide an epinephrine auto-injector device may sell or provide it to a person authorized to possess it pursuant to this section.**

**4. Any person, firm, organization or entity that violates the provisions of this section is guilty of a class B misdemeanor.”; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Britt resumed the Chair.

On motion of Representative Fraser, **House Amendment No. 3** was adopted.

Representative O'Toole offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, by inserting in the appropriate location the following:

"87.235. 1. **Effective May 1, 2002**, upon the receipt of evidence and proof that the death of a member was the result of an accident or exposure at any time or place, provided that at such time or place the member was in the actual performance of the member's duty and, in the case of an exposure, while in response to an emergency call, or was acting pursuant to orders, there shall be paid in lieu of all other benefits the following benefits:

(1) A retirement allowance to the widow during the person's widowhood of [fifty] **seventy** percent of the [deceased member's average final compensation] **pay then provided by law for the highest step in the range of salary for the next title or next rank above the member's range or title held at the time of the member's death**, plus ten percent of such compensation to or for the benefit of each unmarried dependent child of the deceased member, who is either under the age of eighteen, or who is totally and permanently mentally or physically disabled and incapacitated, regardless of age, but not in excess of a total of three children, including both classes, and paid as the board of trustees in its discretion directs;

(2) If no widow benefits are payable pursuant to subdivision (1), such total allowance as would have been paid had there been a widow shall be divided among the unmarried dependent children under the age of eighteen and such unmarried children, regardless of age, who are totally and permanently mentally or physically disabled and incapacitated, and paid to or for the benefit of such children as the board of trustees in its discretion shall direct;

(3) If there is no widow, or child under the age of eighteen years, or child, regardless of age, who is totally and permanently mentally or physically disabled and incapacitated, then an amount equal to the widow's benefit shall be paid to the member's dependent father or dependent mother, as the board of trustees shall direct, to continue until remarriage or death;

(4) Any benefit payable to, or for the benefit of, a child or children under the age of eighteen years pursuant to subdivisions (1) and (2) of this section shall be paid beyond the age of eighteen years through the age of twenty-five years in such cases where the child is a full-time student at a regularly accredited college, business school, nursing school, school for technical or vocational training or university, but such benefit shall cease whenever the child ceases to be a student. A college or university shall be deemed to be regularly accredited which maintains membership in good standing in a national or regional accrediting agency recognized by any state college or university.

2. No benefits pursuant to this section shall be paid to a child over eighteen years of age who is totally and permanently mentally or physically disabled and incapacitated, if such child is a patient or ward in a public-supported institution.

3. Wherever any dependent child designated by the board of trustees to receive benefits pursuant to this section is in the care of the widow of the deceased member, the child's benefits may be paid to the widow for the child.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative O'Toole, **House Amendment No. 4** was adopted.

Representative Smith offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Pages 79-86, Sections 321.552, 321.554 and 321.556, by striking said sections from the bill; and

Further amend the title and enacting clause accordingly.

Representative Smith moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Hunter offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 77, Section 320.350, Line 1-19, by deleting all of said lines.

Representative Hunter moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Campbell	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hunter
Jetton	Kelley 47	Kelly 144	King	Koller
Legan	Linton	Lograsso	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Monaco
Moore	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Quinn	Rector	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Walton
Wright				

NOES: 080

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Carnahan	Clayton
Copenhaver	Crump	Curls	Daus	Davis



Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Harding	Haywood	Hickey
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Kelly 36
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Reid	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Harlan	Lawson	Long	Murphy	Purgason
Williams				

VACANCIES: 001

Representative Ostmann offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 6, Line 20, by inserting a “1” after the “99.847” on said page; and

Further amend Page 7, Line 9, by inserting after said line:

“2. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than two hundred fifty thousand inhabitants but fewer than three hundred thousand inhabitants.

3. Sections 99.866 and 99.874, RSMo, shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow the aforementioned tax increment financing projects to modify, amend or expand such projects (including redevelopment project costs) by not more than forty percent of such project original projected cost (including redevelopment project costs) as such projects (including redevelopment project costs) as such projects (including redevelopment project costs) existed as of June 30, 2003, and shall allow the aforementioned tax incremented financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003.”; and

Further amend the title and enacting clause accordingly.

On motion of Representative Ostmann, **House Amendment No. 7** was adopted.

Representative Black offered **House Amendment No. 8.**

Representative Hoppe raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Britt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Hoppe offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 79, Section 321.552, Line 6, by inserting after the word “inhabitants” the following:

**“or any county of the first classification without a charter form of government and with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; or any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; or any county with a charter form of government with over one million inhabitants; or any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants,”.**

On motion of Representative Hoppe, **House Amendment No. 8** was adopted.

Representative Lograsso offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 79, Section 321.130, Line 4, by adding at the end of said line the following:

“321.180. The treasurer shall keep strict and accurate accounts of all money received by and disbursed for and on behalf of the district in permanent records. He shall file with the clerk of the court, at the expense of the district, a corporate fidelity bond in an amount to be determined by the board for not less than five thousand dollars, conditioned on the faithful performance of the duties of his office. He shall file in the office of the county clerk of each county in which all or part of the district lies a detailed financial statement for the preceding fiscal year of the district on behalf of the board, on or before April first of the following year. [The fiscal year of the board shall be the same as the calendar year, beginning January first of each year and ending December thirty-first of the same year.]”.

On motion of Representative Lograsso, **House Amendment No. 9** was adopted.

Representative Ross offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 11, Section 190.053, Line 19, by deleting all of said section; and

Further amend said bill, Page 15, Line 10, by deleting all of Section 190.054; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Ross, **House Amendment No. 10** was adopted.

Representative Richardson offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, by adding the following language to the end of said bill:

“50.550. 1. The annual budget shall present a complete financial plan for the ensuing budget year. It shall set forth all proposed expenditures for the administration, operation and maintenance of all offices, departments, commissions, courts and institutions; the actual or estimated operating deficits or surpluses from prior years; all interest and debt redemption charges during the year and expenditures for capital projects.

2. The budget shall contain adequate provisions for the expenditures necessary for the care of insane pauper patients in state hospitals, for the cost of holding elections and for the costs of holding circuit court in the county that are chargeable against the county, for the repair and upkeep of bridges other than on state highways and not in any special road district, and for the salaries, office expenses and deputy and clerical hire of all county officers and agencies.

3. In addition, the budget shall set forth in detail the anticipated income and other means of financing the proposed expenditures.

4. All receipts of the county for operation and maintenance shall be credited to the general fund, and all expenditures for these purposes shall be charged to this fund; except, that receipts from the special tax levy for roads and bridges shall be kept in a special fund and expenditures for roads and bridges may be charged to the special fund.

5. All receipts from the sale of bonds for any purpose shall be credited to the bond fund created for the purpose, and all expenditures for this purpose shall be charged to the fund. All receipts for the retirement of any bond issue shall be credited to a retirement fund for the issue, and all payments to retire the issue shall be charged to the fund. All receipts for interest on outstanding bonds and all premiums and accrued interest on bonds sold shall be credited to the interest fund, and all payments of interest on the bonds shall be charged to the interest fund.

6. Subject to the provisions of section 50.555 the county commission may create a fund to be known as "The ..... County Crime Reduction Fund".

7. The county commission may create other funds as are necessary from time to time.

**50.555. 1. A county commission may establish by ordinance or order a fund whose proceeds may be expended only for the purposes provided for in subsection 3 of this section. The fund shall be designated as a county crime reduction fund and shall be under the supervision of a board of trustees consisting of one citizen of the county appointed by the presiding commissioner of the county, one citizen of the county appointed by the sheriff of the county, and one citizen of the county appointed by the county prosecuting attorney.**

**2. Money from the county crime reduction fund shall only be expended upon the approval of a majority of the members of the county crime reduction fund's board of trustees and only for the purposes provided for by subsection 3 of this section.**

**3. Money from the county crime reduction fund shall only be expended for the following purposes:**

- (1) Narcotics investigation, prevention, and intervention;**
- (2) Purchase of law enforcement related equipment and supplies for the sheriff's office;**
- (3) Matching funds for federal or state law enforcement grants;**
- (4) Funding for the reporting of all state and federal crime statistics or information; and**
- (5) Any law enforcement related expense, including those of the prosecuting attorney, approved by the board of trustees for the county crime reduction fund that is reasonably related to investigation, preparation, trial, and disposition of criminal cases before the courts of the state of Missouri.**

**4. The county commission may not reduce any law enforcement agency's budget as a result of funds the law enforcement agency receives from the county crime reduction fund. The crime reduction fund is to be used only as a supplement to the law enforcement agency's funding received from other county, state, or federal funds.**

**5. County crime reduction funds shall be audited as are all other county funds.**

558.019. 1. This section shall not be construed to affect the powers of the governor under article IV, section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, RSMo, section 558.018 or section 571.015, RSMo, which set minimum terms of sentences, or the provisions of section 559.115, RSMo, relating to probation.

2. The provisions of this section shall be applicable to all classes of felonies except those set forth in chapter 195, RSMo, and those otherwise excluded in subsection 1 of this section. For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of a defendant after sentencing. For purposes

of this section, prior prison commitments to the department of corrections shall not include commitment to a regimented discipline program established pursuant to section 217.378, RSMo. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a felony other than a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the defendant has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the defendant must serve shall be forty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(2) If the defendant has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be fifty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the defendant has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the defendant must serve shall be eighty percent of his sentence or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any defendant who has pleaded guilty to or has been found guilty of a dangerous felony as defined in section 556.061, RSMo, and is committed to the department of corrections shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court or until the defendant attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for crimes committed at or near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the defendant before he is eligible for parole, conditional release or other early release by the department of corrections. Except that the board of probation and parole, in the case of consecutive sentences imposed at the same time pursuant to a course of conduct constituting a common scheme or plan, shall be authorized to convert consecutive sentences to concurrent sentences, when the board finds, after hearing with notice to the prosecuting or circuit attorney, that the sum of the terms results in an unreasonably excessive total term, taking into consideration all factors related to the crime or crimes committed and the sentences received by others similarly situated.

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for defendants convicted of the same or similar crimes and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) The commission shall establish a system of recommended sentences, within the statutory minimum and maximum sentences provided by law for each felony committed under the laws of this state. This system of recommended sentences shall be distributed to all sentencing courts within the state of Missouri. The recommended sentence for each crime shall take into account, but not be limited to, the following factors:

(a) The nature and severity of each offense;

(b) The record of prior offenses by the offender;

(c) The data gathered by the commission showing the duration and nature of sentences imposed for each crime; and

(d) The resources of the department of corrections and other authorities to carry out the punishments that are imposed.

(4) The commission shall publish and distribute its system of recommended sentences on or before July 1, 1995. The commission shall study the implementation and use of the system of recommended sentences until July 1, 1998, and return a final report to the governor, the speaker of the house of representatives, and the president pro tem of the senate. Following the July 1, 1998, report, the commission may revise the recommended sentences every three years.

(5) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

(6) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

(7) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

**7. If the imposition or execution of a sentence is suspended, the court may consider ordering restorative justice methods pursuant to section 217.777, RSMo, including any or all of the following, or any other method that the court finds just or appropriate:**

- (1) Restitution to any victim for costs incurred as a result of the offender's actions;
- (2) Offender treatment programs;
- (3) Mandatory community services;
- (4) Work release programs in local facilities; and
- (5) Community-based residential and nonresidential programs.

**8. If the imposition or execution of a sentence is suspended for a misdemeanor, in addition to the provisions of subsection 7 of this section, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to section 50.555, RSMo. Such contribution shall not exceed five hundred dollars for any course of conduct, regardless of the number of charges resulting from such conduct. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555, RSMo. County crime reduction funds shall be audited as are all other county funds.**

[7.] **9.** The provisions of this section shall apply only to offenses occurring on or after August 28, 1994.

559.021. 1. The conditions of probation shall be such as the court in its discretion deems reasonably necessary to ensure that the defendant will not again violate the law. When a defendant is placed on probation he shall be given a certificate explicitly stating the conditions on which he is being released.

2. In addition to such other authority as exists to order conditions of probation, the court may order such conditions as the court believes will serve to compensate the victim, any dependent of the victim, or society. Such conditions may include, but shall not be limited to:

- (1) Restitution to the victim or any dependent of the victim, in an amount to be determined by the judge; and
- (2) The performance of a designated amount of free work for a public or charitable purpose, or purposes, as determined by the judge.

**3. In addition to such other authority as exists to order conditions of probation, in the case of a plea of guilty or a finding of guilt, the court may order the assessment and payment of a designated amount of money to a county crime reduction fund established by the county commission pursuant to section 50.555, RSMo. Such contribution shall not exceed five hundred dollars for any course of conduct, regardless of the number of charges resulting from such conduct. Any money deposited into the county crime reduction fund pursuant to this section shall only be expended pursuant to the provisions of section 50.555, RSMo. County crime reduction funds shall be audited as are all other county funds.**

[3.] **4.** The defendant may refuse probation conditioned on the performance of free work. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. Any county, city, person, organization, or agency, or employee of a county, city, organization or agency charged with the supervision of such free work or who benefits from its performance shall be immune from any suit by the defendant or

any person deriving a cause of action from him if such cause of action arises from such supervision of performance, except for an intentional tort or gross negligence. The services performed by the defendant shall not be deemed employment within the meaning of the provisions of chapter 288, RSMo. A defendant performing services pursuant to this section shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo.

[4. ]5. The court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.

**6. The defendant may refuse probation conditioned on a payment to a county crime reduction fund. If he or she does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. A judge may order payment to a crime reduction fund only if such fund had been created prior to sentencing by ordinance or resolution of a county of the state of Missouri. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering the probationers to make payments. A defendant who fails to make a payment or payments to a county crime reduction fund may not have his probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.”; and**

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 11** was adopted.

On motion of Representative Hoppe, **HS HCS SS SCS SB 1107, as amended**, was adopted.

On motion of Representative Hoppe, **HS HCS SS SCS SB 1107, as amended**, was read the third time and passed by the following vote:

AYES: 104

Abel	Baker	Barnett	Barry 100	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Byrd	Campbell	Carnahan	Cierpiot
Clayton	Copenhaver	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Farnen	Foley
Fraser	Gambaro	George	Graham	Gratz
Green 15	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelly 27
Kelly 36	Liese	Linton	Lowe	Luetkemeyer
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Myers	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Ransdall	Reid
Relford	Reynolds	Richardson	Rizzo	Robirds
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	St. Onge	Thompson	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 047

Barnitz	Bartelsmeyer	Bartle	Behnen	Boatright
Burcham	Burton	Champion	Cooper	Crawford
Crowell	Dolan	Fares	Franklin	Froelker

Gaskill	Griesheimer	Henderson	Hohulin	Holand
Hunter	Kelley 47	Kelly 144	King	Koller
Legan	Marble	Marsh	Moore	Murphy
Naeger	Nordwald	Phillips	Portwood	Quinn
Rector	Reinhart	Ridgeway	Roark	Ross
Schwab	Scott	Shoemaker	Smith	Surface
Townley	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Crump	Green 73	Hickey	Jetton
Lawson	Lograsso	Long	Luetkenhaus	Purgason
Scheve				

VACANCIES: 001

Representative Britt declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1196**, entitled:

An act to repeal sections 136.055, 142.803, 144.805, 155.080, 226.200, 226.540, 226.550, 226.573, 226.580, 226.585, 227.100 and 305.230, RSMo, relating to funding for transportation, and to enact in lieu thereof thirteen new sections relating to the same subject, with an emergency clause for certain sections.

With Senate Amendment No. 1

#### *Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1196, Page 8, Section 226.200, Line 5, by inserting at the end of said line the following:

**“Appropriations to the highway patrol from the state highways and transportation department fund shall be made in accordance with article IV, section 30(b) of the Missouri Constitution. Appropriations allocated from the state highways and transportation department fund to the highway patrol shall only be used by the highway patrol to administer and enforce state motor vehicle laws or traffic regulations. Beginning July 1, 2007, any activities or functions conducted by the highway patrol not related to enforcing or administering state motor vehicle laws or traffic regulations shall not be funded by the state highways and transportation department fund, but shall be funded from general revenue or any other applicable source. Any current funding from the highways and transportation department fund used for activities not related to enforcing state motor vehicle laws or traffic regulations shall expire on June 30, 2007. The state auditor shall annually audit and examine the appropriations made to the highway patrol to determine whether such appropriations are actually being used for administering and enforcing state motor vehicle laws and traffic regulations pursuant to the constitution. The state auditor shall submit its annual findings to the general assembly by January fifteenth of each year.”.**

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 810, as amended**, and has taken up and passed **HS HCS SCS SB 810, as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1143**, entitled:

An act to repeal sections 72.080, 72.130, 88.010, 88.013, 88.027, 88.030, 88.040, 88.043, 88.047, 88.050, 88.053, 88.057, 88.060, 88.063, 88.073, 99.050, 99.134, 135.207, 135.230, 135.400, 135.403, 135.408, 135.411, 135.423, 135.431, 135.478, 135.481, 135.484, 135.487, 135.530, 143.811, 238.230, 348.300 and 348.302, RSMo, Section 135.535 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701 of the ninetieth general assembly, first regular session and section 135.535 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for senate bill no. 20 of the ninetieth general assembly, first regular session, and to enact in lieu thereof ninety-nine new sections relating to community development.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 16, Senate Amendment No. 17, Senate Amendment No. 21, Senate Amendment No. 22, Senate Amendment No. 23, Senate Amendment No. 24, Senate Amendment No. 25, Senate Amendment No. 26, Senate Amendment No. 27 and Senate Amendment No. 28

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 3, Section 68.200, Lines 26-27 of said page, by striking all of said section from the bill; and

Further amend said bill, Pages 2-9, Section 68.202, by striking all of said section from the bill; and

Further amend said bill, Pages 10-11, Section 68.204, by striking all of said section from the bill; and

Further amend said bill, Page 11, Section 68.206, by striking all of said section from the bill; and

Further amend said bill, Pages 11-12, Section 68.208, by striking all of said section from the bill; and

Further amend said bill, Pages 12-13, Section 68.210, by striking all of said section from the bill; and

Further amend said bill, Pages 13-14, Section 68.212, by striking all of said section from the bill; and

Further amend said bill, Pages 14-18, Section 68.214, by striking all of said section from the bill; and

Further amend said bill, Pages 18-20, Section 68.218, by striking all of said section from the bill; and

Further amend said bill, Pages 20-24, Section 68.220, by striking all of said section from the bill; and

Further amend said bill, Pages 24-25, Section 68.222, by striking all of said section from the bill; and

Further amend said bill, Pages 25-26, Section 68.224, by striking all of said section from the bill; and



Further amend said bill, Pages 26-27, Section 68.226, by striking all of said section from the bill; and

Further amend said bill, Pages 27-30, Section 68.230, by striking all of said section from the bill; and

Further amend said bill, Pages 30-32, Section 68.232, by striking all of said section from the bill; and

Further amend said bill, Page 32, Section 68.234, by striking all of said section from the bill; and

Further amend said bill, Page 32, Section 68.236, by striking all of said section from the bill; and

Further amend said bill, Page 33, Section 68.238, by striking all of said section from the bill; and

Further amend said bill, Page 33, Section 68.240, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Pages 58-61, Section 99.134 of said pages, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 146, Section 238.230, Line 29 of said page, by inserting after all of said line the following:

**“288.037. 1. The term “employer” shall include any Indian tribe for which service in employment as defined in section 288.034 is performed.**

**2. The term “employment” shall include service performed in the employ of an Indian tribe, as defined in Section 3306(u) of the Federal Unemployment Tax Act (FUTA), provided such service is excluded from “employment” as defined in FUTA solely by reason of Section 3306(c)(7), FUTA, and is not otherwise excluded from “employment” under this chapter. For purposes of this section, the exclusions from employment in subsection 9 of section 288.034 shall be applicable to services performed in the employ of an Indian tribe.**

**3. Benefits based on service in employment defined in this section shall be payable in the same amount, on the same terms, and subject to the same conditions as benefits payable on the basis of other service subject to this chapter. The provisions of subsection 3 of section 288.040 pertaining to services performed at an educational institution while in the employ of an “educational service agency” shall apply to services performed in an educational institution or educational service agency wholly owned and operated by an Indian tribe or tribal unit.**

**4. (1) Indian tribes or tribal units, including subdivisions, subsidiaries, or business enterprises wholly owned by such Indian tribes, subject to this chapter shall pay contributions under the same terms and conditions as all other subject employers, unless they elect to pay into the state unemployment fund amounts equal to the amount of benefits attributable to service in the employ of the Indian tribe. An Indian tribe and all tribal units of such Indian tribe shall be jointly and severally liable for any and all contributions, payments in lieu of contributions, interest, penalties, and surcharges owed by the Indian tribe and all tribal units of such Indian tribe.**

**(2) Indian tribes electing to make payments in lieu of contributions must make such election in the same manner and under the same conditions as provided in subsection 3 of section 288.090 pertaining to state and local governments and nonprofit organizations subject to this chapter. Indian tribes will determine if reimbursement for benefits paid will be elected by the tribe as a whole, by individual tribal units, or by combinations of individual tribal units. Termination of an Indian tribe’s coverage pursuant to subdivision (5) of this subsection shall terminate the election of such Indian tribe and any tribal units of such Indian tribe to**

make payments in lieu of contributions.

(3) Indian tribes or tribal units will be billed for the full amount of benefits attributable to service in the employ of the Indian tribe or tribal unit on the same schedule as other employing units that have elected to make payments in lieu of contributions.

(4) Any Indian tribe or tribal unit that elects to become liable for payments in lieu of contributions shall be required, prior to the effective date of its election, to post with the division a surety bond issued by a corporate surety authorized to do business in Missouri in an amount equivalent to the contributions or payments in lieu of contributions for which the Indian tribe or tribal unit was liable in the last calendar year in which it accrued contributions or payments in lieu of contributions, or one hundred thousand dollars, whichever amount is the greater, to ensure prompt payment of contributions or payments in lieu of contributions, interest, penalties, and surcharges for which the Indian tribe or tribal unit may be, or becomes, jointly and severally liable pursuant to this chapter.

(5) Failure of the Indian tribe or tribal unit to maintain the required surety bond, including the posting of an additional surety bond or a replacement surety bond within ninety days of being directed by the division, will cause services performed for such Indian tribe to not be treated as “employment” for purposes of subsection 2 of this section.

(6) The director may determine that any Indian tribe that loses coverage under subdivision (5) of this subsection, may have services performed for such tribe again included as “employment” for purposes of subsection 2 of this section if all contributions, payments in lieu of contributions, penalties, and interest have been paid. Upon reinstatement of coverage under this subdivision, an Indian tribe or any tribal unit may elect, in accordance with the provisions of this subsection, to make payments in lieu of contributions.

(7) If an Indian tribe fails to maintain the required surety bond by posting an additional surety bond or a replacement surety bond within ninety days of being directed by the division, the director will immediately notify the United States Internal Revenue Service and the United States Department of Labor.

(8) Notices of surety bond deficiency to Indian tribes or their tribal units shall include information that failure to post an additional surety bond or a replacement surety bond within the prescribed time frame:

- (a) Will cause the Indian tribe to be liable for taxes under FUTA;
- (b) Will cause the Indian tribe to be excepted from the definition of “employer,” as provided in subsection 1 of this section, and services in the employ of the Indian tribe, as provided in subsection 2 of this section, to be excepted from “employment”.

5. (1) Failure of the Indian tribe or tribal unit to make required payments, including assessments of interest and penalty, within ninety days of receipt of the bill will cause services performed for such Indian tribe to not be treated as “employment” for purposes of subsection 2 of this section.

(2) The director may determine that any Indian tribe that loses coverage under subdivision (1) of this subsection, may have services performed for such tribe again included as “employment” for purposes of subsection 2 of this section if all contributions, payments in lieu of contributions, penalties, and interest have been paid.

(3) If an Indian tribe fails to make payments required under this section, including assessments of interest and penalty, within ninety days of a final notice of delinquency, the director will immediately notify the United States Internal Revenue Service and the United States Department of Labor.

6. Notices of payment and reporting delinquency to Indian tribes or their tribal units shall include information that failure to make full payment within the prescribed time frame:

- (1) Will cause the Indian tribe to be liable for taxes under FUTA;
- (2) Will cause the Indian tribe to be excepted from the definition of “employer,” as provided in subsection 1 of this section, and services in the employ of the Indian tribe, as provided in subsection 2 of this section, to be excepted from “employment”.

7. Extended benefits paid that are attributable to service in the employ of an Indian tribe and not reimbursed by the federal government shall be financed in their entirety by such Indian tribe.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 1, In the Title, Line 17, by inserting after “development” the following: “, with an effective date for certain sections”; and

Further amend said bill, Page 61, Section 99.134, Line 22, by inserting after all of said line the following:

“99.805. As used in sections 99.800 to [99.865] **99.873**, unless the context clearly requires otherwise, the following terms shall mean:

(1) “Blighted area”, an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) “Collecting officer”, the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) “Conservation area”, any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) “Economic activity taxes”, the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) “Economic development area”, any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6) “Gambling establishment”, an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

(7) **“High unemployment”, unemployment in the census block group or contiguous group of block groups in which the redevelopment project is located of at least one and one-half times that of the metropolitan statistical area in which the area is located or, one and one-half times the unemployment rate of nonmetropolitan**

counties if the area is not located in a metropolitan statistical area;

(8) “Low fiscal capacity”, per capita assessed valuation of property in the municipality of less than sixty percent of the entire county in which it is located, or, in unincorporated areas, when the per capita assessed valuation of property in the school district is less than sixty percent of the entire county in which it is located;

(9) “Moderate income”, either a Missouri municipality within a metropolitan statistical area which has a population of at least one thousand five hundred and median household income of under ninety percent of the median household income for the metropolitan statistical area, according to the last decennial census, or a United States census block group or contiguous group of block groups within a metropolitan statistical area which has a population of at least one thousand five hundred, and each block group having a median household income of under ninety percent of the median household income for the metropolitan area in Missouri, according to the last decennial census. In addition, the definition shall include municipalities not within a metropolitan statistical area, with a median household income of under ninety percent of the median household income for the nonmetropolitan areas in Missouri according to the last decennial census or a census block group or contiguous group of block groups which has a population of at least one thousand five hundred, and each block group having a median household income of under ninety percent of the median household income for the nonmetropolitan areas of Missouri, according to the last decennial census;

[(7)] (10) “Municipality”, a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, “municipality” applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(8)] (11) “Obligations”, bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(9)] (12) “Ordinance”, an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(10)] (13) “Payment in lieu of taxes”, those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(11)] (14) “Redevelopment area”, an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, RSMo, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(12)] (15) “Redevelopment plan”, the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(13)] (16) “Redevelopment project”, any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(14)] (17) “Redevelopment project costs” include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
- (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (j) Payments in lieu of taxes;

**(18) “Retail”, any establishment possessing a retail sales license and responsible for the collection of sales taxes pursuant to the provisions of section 144.080, RSMo;**

**(19) “Retail redevelopment project”, any development project within a redevelopment area, as defined in this section, where more than thirty-three percent of the total estimated redevelopment project costs are devoted to the construction, reconstruction, or expansion of retail establishments or of privately-owned infrastructure or facilities ancillary to sales at retail;**

[(15)] **(20)** “Special allocation fund”, the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(16)] **(21)** “Taxing districts”, any political subdivision of this state having the power to levy taxes;

[(17)] **(22)** “Taxing districts' capital costs”, those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; [and]

[(18)] **(23)** “Vacant land”, any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision [and], an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall

include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861, RSMo. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031, RSMo, until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X, of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660,

RSMo, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, RSMo, or effective January 1, 1998, taxes levied for the purpose of public transportation pursuant to section 94.660, RSMo, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, RSMo, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, RSMo, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221, RSMo, at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer

within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to **blighted areas located in distressed communities pursuant to section 135.530, RSMo**, blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, RSMo, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the aggregate annual appropriation of the new state revenues for redevelopment areas exceed fifteen million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the



duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the “Missouri Supplemental Tax Increment Financing Fund”, to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. All personnel and other costs incurred by the department of economic development for the administration and operation of subsections 4 to 12 of this section shall be paid from the state general revenue fund. On an annual basis, the general revenue fund shall be reimbursed for the full amount of such costs by the developer or developers of the project or projects for which municipalities have made tax increment financing applications for the appropriation of new state revenues, as provided for in subdivision (1) of subsection 10 of this section. The amount of costs charged to each developer shall be based upon the percentage arrived at by dividing the monetary amount of the application made by each municipality for a particular project by the total monetary amount of all applications received by the department of economic development.

**99.866. 1. Except as provided in subsection 2 of this section, sections 99.866 to 99.872 shall apply to any city not within a county, any county with a charter form of government and with more than one million inhabitants, any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants, any county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants, any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, any county of the first classification without a charter form of government and with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but less than thirty-nine thousand inhabitants, any county of the fourth classification with more than fifty-five thousand six hundred but less than fifty-five thousand seven hundred inhabitants, and any county of the third classification without a township form of government and with more than seventeen thousand eight hundred but less than seventeen thousand nine hundred inhabitants.**

**2. Any redevelopment project consisting solely of public infrastructure improvements on public land requiring two million dollars or less in tax increment financing, wherein the bonds for such project will be paid off in seven years or less, shall be exempt from the provisions of sections 99.866 to 99.872. However, no “stringing” of projects shall be allowed. No exempt project pursuant to this section shall be combined with another exempt project pursuant to this section for a period of five years.**

**3. Any redevelopment project for which eligible project redevelopment costs are to be paid from that portion of the total economic activity taxes and payments in lieu of taxes imposed by the municipality only, and real or potential revenues from no other taxing jurisdictions are involved, are exempt from the provisions of sections 99.866 to 99.872.**

**99.867. 1. The municipality and any proposed redevelopment area shall meet the requirements of section 99.810 and this section. In addition, if the proposed redevelopment project is a retail redevelopment project, it must be in a redevelopment area where:**

**(1) The host municipality or, for unincorporated areas, the host school district has low fiscal capacity;**  
**or**

**(2) The census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area have high unemployment; or**

**(3) The municipality, census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area are characterized by moderate income.**

**2. Tax increment financing shall not be used for more than thirty percent of the total estimated**

redevelopment costs of a project unless the redevelopment is in a municipality, census block group or group of block groups with a median household income less than seventy percent of that of the metropolitan area, a distressed community as defined in section 135.530, RSMo, a federal enterprise zone or a federal empowerment zone. Tax increment financing shall not be used to develop sites in which twenty-five percent or more of the area is vacant and has not previously been developed or qualifies as "open space" pursuant to section 67.900, RSMo, or is presently being used for agricultural or horticultural purposes.

3. If the majority of the proposed redevelopment project is located in an area meeting the requirements of low fiscal capacity, high unemployment, and moderate income set forth in this section, and if such conditions are documented in an area which is contiguous to but outside of the qualifying area, and is smaller than a census block group, the contiguous area shall be added to the qualifying area.

99.870. Commencing with the first fiscal year in which any municipality receives any payments in lieu of taxes from a redevelopment project and continuing through the last fiscal year in which the municipality receives such payments, the municipality shall pay to any other taxing entities entitled to receive revenue from levies on real property in such municipality, an amount equal to twenty-five percent of the payments in lieu of taxes received by the municipality. This amount shall be divided among the other affected taxing entities on a basis that is proportional to the collections of revenue from real property in the development area to which each such taxing district is entitled during that tax year.

99.871. In addition to the requirements which may apply pursuant to section 99.810, no redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision, an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met, and a study stating that records were reviewed, inspections were made, comparisons were made, or tasks undertaken demonstrating that the property has not been developed through private enterprise over a period of time. Such a study should be signed by a responsible party in the local jurisdiction who is designated as being responsible for the study's representations. The study shall be of sufficient specificity to allow representatives of the tax increment financing commission or the municipality, or both, to conduct investigations deemed necessary in order to confirm its findings;

(2) An economic feasibility analysis including a pro forma financial statement indicating a return on investment that may be expected without public assistance. The financial statement shall detail any assumptions made, a pro forma statement analysis demonstrating the amount of assistance required to bring the return into a range deemed attractive to private investors, which amount shall be equal to the estimated reimbursable project costs.

99.872. The municipality and the developer shall annually submit information to the department regarding an approved plan for as long as the plan is in effect. The department shall establish reporting requirements by rule promulgated pursuant to chapter 536, RSMo. The department shall submit a report to the governor and the general assembly by December thirty-first of each year. The report shall, at a minimum, identify the number and location of redevelopment areas, quantify public investment in each, and assess the public benefit derived from the redevelopment project.

99.873. Any district in any city not within a county, any county with a charter form of government and with more than one million inhabitants, any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants, any county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants, any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, any county of the first classification without a charter form of government and with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but less than thirty-nine thousand inhabitants, any county of the fourth classification with more than fifty-five thousand six hundred but less than fifty-five thousand seven hundred inhabitants, and any county of the third classification without a township form of government and with

more than seventeen thousand eight hundred but less than seventeen thousand nine hundred inhabitants, providing emergency services pursuant to chapter 190 or 321, RSMo, shall be entitled to reimbursement from the special allocation fund for direct costs. However, such reimbursement shall not be less than twenty-five percent nor more than one hundred percent of the district's tax increment.

**99.874.** The provisions of this act shall apply to all redevelopment projects which are approved by a municipality after the effective date of this act.”; and

Further amend said bill, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

“Section B. The repeal and reenactment of sections 99.805, 99.810, 99.845 and the enactment of sections 99.866, 99.867, 99.870, 99.871, 99.872, 99.873 and 99.874 of this act shall become effective July 1, 2003.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

**“Section 1. 1. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than two hundred fifty thousand inhabitants but fewer than three hundred thousand inhabitants.**

**2. Sections 99.800 to 99.865, RSMo, shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow the aforementioned tax increment financing projects to modify, amend or expand such projects (including redevelopment project costs) by not more than forty percent of such project original projected cost (including redevelopment project costs) as such projects (including redevelopment project costs) existed as of June 30, 2003, and shall allow the aforementioned tax incremented financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 10*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 134, Section 135.530, by deleting brackets on said page.

*Senate Amendment No. 11*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 107, Section 99.984, Lines 7-8 of said page, by striking said lines and inserting in lieu thereof the following: **“development projects adopted pursuant to sections 99.915 to 99.984. The purpose of the hearing shall be to determine if”.**

*Senate Amendment No. 12*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Section 348.302, Page 150, Line 7 of said page, by inserting after all of said line the following:

**“Section 1. The housing authority commission shall appoint a Section 8 housing evaluation committee of seven members composed of three landlords and four members from business and community groups.”; and**

Further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill, Page 62, Section 99.921, Line 25 of said page, by inserting after “corporation” the following: “**association**”; and

Further amend said bill, Page 72, Section 99.933, Lines 15 to 18 of said page, by striking said lines and inserting in lieu thereof the following:

**“3. Any home rule city with more than four hundred thousand inhabitants and located in more than one county, any city not within a county, and any county with a charter form of government and with more than one million inhabitants shall approve a minority and women-owned business enterprise program to be implemented by the downtown economic stimulus authority. The program shall require all businesses, vendors and contractors working on projects undertaken by the authority to ensure enforcement of an equal opportunity employment plan and a minority and women-owned business program that is based on population and availability that contains specific goals for each such business, vendor and contractor, in accordance with applicable state and federal laws, rules, regulations and orders.”; and**

Further amend said bill, Page 75, Section 99.944, Lines 12 to 29 of said page, by striking all of said lines; and

Further amend said bill, Page 76, Section 99.944, Lines 1 to 10 of said page, by striking all of said lines and inserting in lieu thereof the following:

**“99.944. 1. Any home rule city with more than four hundred thousand inhabitants and located in more than one county, any county with a charter form of government and with more than one million inhabitants, and any city not within a county may by ordinance establish a fund for the purpose of providing funds to community development corporations in such city for comprehensive programs within such city to stimulate economic development, housing, and other public benefits leading to the development of economically sustainable neighborhoods or communities, such fund to be known as the “Community Development Corporation Revolving Fund”. Notwithstanding section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.**

**2. The community development corporation revolving fund shall be administered by a community development corporation revolving fund board, which shall consist of six members appointed by the chief elected official of such municipality or county, of which one shall be a member of the economic stimulus authority, three shall be members of the local regional community development association, and two shall be members of local business or financial organizations. The initial members shall serve staggered terms of one, two, and three years as determined by the chief elected official at the time of appointment. Thereafter, successor members shall be appointed by the chief elected official for a term of three years, and shall hold office until a successor is appointed. Any member may be removed by the chief elected official for inefficiency, neglect of duty, or misconduct. All vacancies shall be filled by appointment of the chief elected official for the unexpired term. No member shall receive compensation for the member's services, but shall be entitled to necessary and reasonable expenses, including travel expenses, incurred in the discharge of the member's duties. The chief elected official shall appoint the chair of the board, and the members of the board shall elect officers from the membership of the board.”; and**

Further amend said bill, Page 77, Section 99.944, Line 4 of said page, by inserting after “annually.” the following:

**“Any home rule city with more than four hundred thousand inhabitants and located in more than one county, any city not within a county, and any county with a charter form of government and with more than one million inhabitants that enacts any new local sales tax for any downtown development project pursuant to this section shall distribute at least five percent of the revenue generated by the sales tax to the fund.”.**

*Senate Amendment No. 13*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 61, Section 99.915, Line 27 of said page, by inserting after all of said line the following:

**“3. No transfer from the general revenue fund to the special allocation fund defined in subsection 20 of section 99.945 shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project.”**

*Senate Amendment No. 16*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 83, Section 99.945, Line 29, by inserting immediately after the word “increment,” the following: **“based on the estimate at the time of the initial agreement,”**.

*Senate Amendment No. 17*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 83, Section 99.945, Line 27 of said page, by striking the following: “some portion” and inserting in lieu thereof the following: **“a percentage not to exceed fifty percent”**.

*Senate Amendment No. 21*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 107, Section 99.984, by inserting immediately after all of said section the following:

“100.840. 1. To provide funds for the present payment of the costs of economic development projects, the board may borrow money and issue and sell certificates payable from a sufficient portion of the future receipts of payments authorized by the agreement. The total amount of outstanding certificates sold by the board shall not exceed seventy-five million dollars. The receipts shall be pledged to the payment of principal of and interest on the certificates. Certificates may be sold at public sale or at private sale at par, premium, or discount of not less than ninety-five percent of the par value thereof, at the discretion of the board, and may bear interest at such rate or rates as the board shall determine, notwithstanding the provisions of section 108.170, RSMo, to the contrary. Certificates may be issued with respect to a single project or multiple projects and may contain terms or conditions as the board may provide by resolution authorizing the issuance of the certificates.

2. Certificates issued to refund other certificates may be sold at public sale or at private sale as provided in this section with the proceeds from the sale to be used for the payment of the certificates being refunded. The refunding certificates may be exchanged in payment and discharge of the certificates being refunded, in installments at different times or an entire issue or series at one time. Refunding certificates may be sold or exchanged at any time on, before, or after the maturity of the outstanding certificates to be refunded. Certificates may be issued for the purpose of refunding a like, greater or lesser principal amount of certificates and may bear a higher, lower or equivalent rate of interest than the certificates being renewed or refunded.

3. The board shall determine if revenues provided in the agreement are sufficient to secure the faithful performance of obligations in the agreement.

4. Certificates issued pursuant to this section shall not be deemed to be an indebtedness of the state or the board or of any political subdivision of the state.

**5. In no event shall the aggregate amount of tax credits authorized by subsection 4 of this section exceed ten million dollars annually.”**

*Senate Amendment No. 22*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 107, Section 99.984, Line 15, by inserting immediately after all of said line the following:

“100.010. As used in sections 100.010 to 100.200, unless the context clearly indicates otherwise, the following words and terms have the following meanings:

- (1) “Division”, an appropriate division of the department of economic development of the state of Missouri, or any agency which succeeded to the functions of the division of commerce and industrial development;
- (2) “Facility”, an industrial plant purchased, constructed, extended or improved pursuant to sections 100.010 to 100.200, including the real estate, buildings, fixtures and machinery;
- (3) “Governing body”, bodies and boards, by whatever names they may be known, charged with the governing of a municipality as herein defined;
- (4) “Municipality”, any county, city, incorporated town or village of the state;
- (5) “Office industry”, a regional, national or international headquarters, a telecommunications operation, a computer operation, an insurance company or a credit card billing and processing center;
- (6) “Project for industrial development” or “project”, the purchase, construction, extension and improvement of warehouses, distribution facilities, research and development facilities, office industries, agricultural processing industries, service facilities which provide interstate commerce, and industrial plants, including the real estate either within or without the limits of such municipalities, buildings, fixtures, and machinery; except that any project of a municipality having fewer than eight hundred inhabitants shall be located wholly within the limits of the municipality;
- (7) **“Revenue bonds”, bonds, loans, debentures, notes, special certificates or other evidences of indebtedness issued by a municipality and secured by revenues of a project for industrial development;**
- (8) **“Taxing district”, any political subdivision of this state having the power to levy ad valorem taxes and whose boundaries for ad valorem taxation purposes include any portion of the area in which the project will be located.**

100.050. 1. Any municipality proposing to carry out a project for industrial development shall first, by majority vote of the governing body of the municipality, approve the plan for the project. The plan shall include the following information pertaining to the proposed project:

- (1) A description of the project;
- (2) An estimate of the cost of the project;
- (3) A statement of the source of funds to be expended for the project;
- (4) A statement of the terms upon which the facilities to be provided by the project are to be leased or otherwise disposed of by the municipality; and
- (5) Such other information necessary to meet the requirements of sections 100.010 to 100.200.

**2. If the plan for the project is approved after August 28, 2002, and the project plan involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality, the project plan shall additionally include the following information:**

- (1) A statement identifying each taxing district affected by such project;
- (2) The most recent equalized assessed valuation of the real property and personal property included in the project, and an estimate as to the equalized assessed valuation of real property and personal property included in the project after development;
- (3) An analysis of the costs and benefits of the project on each taxing district; and
- (4) Identification of any payments in lieu of taxes, contributions, grants or other payments of any nature whatsoever expected to be made by any lessee of the project, and the disposition of any such payments by the municipality.

**3. If the plan for the project is approved after August 28, 2002, any payments in lieu of taxes, contributions, grants or other payments of any nature whatsoever expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of issuing the bonds and administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each taxing district in proportion to the current ad valorem tax levy of each taxing district.**

100.060. 1. The governing body of any municipality proposing a project for industrial development which involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality shall, not less than twenty days prior to approving the plan for a project as required by section 100.050, provide notice of the proposed project to the county in which the municipality is located and any school district that is a taxing district. Such notice shall include the information required in section 100.050, shall state the date on which the governing body of the municipality will first consider approval of the plan, and shall invite such taxing districts to submit comments to the governing body.

**2. Projects of a county must be located within an unincorporated area of such county except that such projects may be located within the incorporated limits of a city, town or village within such county when approved by the governing body of such city, town or village.**

**3. This section is applicable only if the plan for the project is approved after August 28, 2002.**

100.105. No later than January thirty-first of each year, the municipality shall file a report with the department of economic development on the previous year's revenue bond issuances and general obligation bond issuances, which report shall contain only the following information:

- (1) The name, address, spokesperson, and telephone number of the issuing entity;
- (2) The name, address, age, and type of business of the beneficiary firm;
- (3) The amount, term, interest rate or rates, and date of issuance of the bonds issued;
- (4) The name and address of the underwriter, if any, of such bonds;
- (5) The name and address of the guarantor, if any;
- (6) The size, by assets and previous year's sales, and the current number of employees, of the beneficiary firm;
- (7) A copy of the preliminary official statement used when offering the bonds for sale;
- (8) The estimated number of new jobs to be generated by the proposed project;
- (9) A list of the use of bond proceeds, including whether the purpose of the project and the funds generated by the issuance of such bonds is to open a new business, build a branch plant, expand an existing facility, or acquire an existing business[;] **together with a general description of the real property or personal property purchased by or on behalf of the municipality with such proceeds; and**
- (10) The estimated total cost of the project.

100.180. The municipality shall have the authority to enter into loan agreements, sell, lease, or mortgage to private persons, partnerships or corporations the facilities purchased, constructed or extended by the municipality for manufacturing and industrial development purposes. In the event that the facility has been financed by revenue bonds, the installments of charges or rents shall be sufficient to meet the interest and sinking fund requirements on the bonds. The loan agreement, installment sale agreement, [or] lease, **or other such document** shall contain such other terms as are agreed upon between the municipality and the obligor, provided that such terms shall be consistent with the other provisions of sections 100.010 to 100.200.”; and

Further amend said bill, Page 139, Section 135.535, Line 21, by inserting after all of said line the following:

“137.073. 1. As used in this section, the following terms mean:

(1) “General reassessment”, changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) “Tax rate”, “rate”, or “rate of levy”, singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) “Tax rate ceiling”, a tax rate as revised by the taxing authority to comply with the provisions of this section or when a court has determined the tax rate; except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, RSMo, less all adjustments required pursuant to article X, section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) “Tax revenue”, when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term “tax revenue” shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, RSMo, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes pursuant to chapter 67, RSMo, shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505, RSMo, and section 164.013, RSMo, in

the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term "tax revenue", as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation, exclusive of new construction and improvements. All political subdivisions shall immediately revise the rates of levy for each purpose for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year, except that the rate may not exceed the greater of the rate in effect in the 1984 tax year or the most recent voter-approved rate. As provided in section 22 of article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor shall be limited to the actual assessment growth within the political subdivision, exclusive of new construction and improvements, but not to exceed the consumer price index or five percent, whichever is lower.

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, RSMo, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling in the prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive for the three-year period preceding such determination.

4. (1) In order to implement the provisions of this section and section 22 of article X of the Constitution of Missouri, the term "improvements" shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, RSMo, **sections 100.010 to 100.200, RSMo**, sections 135.200 to 135.255, RSMo, and section 353.110, RSMo, shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. The assessor shall certify the amount of new construction and improvements for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and section 22, article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers



for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on June first of each year over the immediately preceding prior twelve-month period in order that political subdivisions shall have this information available in setting their tax rates according to law and section 22 of article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and section 22 of article X of the Missouri Constitution, the term "property" means all taxable property, including state assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or section 22 of article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and section 22 of article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of section 10(c) of article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to section 22 of article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with section 22 of article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo, shall be applied to the tax rate as established pursuant to this section and section 22 of article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be the current tax rate ceiling. The increased tax rate ceiling as approved may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate.

(3) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval.

6. Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest one/one hundredth of a cent. A taxing authority shall round up a fraction greater than or equal to five/one thousandth of one cent to the next higher one/one hundredth of a cent. Any taxing authority levying a property tax rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be prima facie valid if, after making the payment for which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the

taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031, RSMo. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. A taxing authority, including but not limited to a township, county collector, or collector of taxes, responsible for determining and collecting the amount of residential real property tax levied in its jurisdiction, shall report such amount of tax collected by December thirty-first of each year such property is assessed, to the state tax commission. The state tax commission shall compile the tax data by county or taxing jurisdiction and submit a report to the general assembly no later than January thirty-first of the following year.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 23*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 61, Section 99.134, Line 22, by inserting at the end of said line the following:

“99.847. Any district providing emergency services pursuant to chapter 190 or 321, RSMo, [upon the provision of evidence to the governing body of the municipality that direct costs incurred by such district in providing emergency services to the redevelopment area are directly attributable to the operation of redevelopment projects as these terms are defined in section 99.805, in the redevelopment area,] shall be entitled to reimbursement from the special allocation fund [for direct costs to the extent that such district can demonstrate that the increased tax revenues it receives from such projects in such areas are insufficient to fund such direct costs. However, such reimbursement shall not be less than twenty-five] **in the amount of at least fifty percent [nor] but no** more than one hundred percent of the district's tax increment.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 24*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Pages 132-133, Section 135.487, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 25*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

**“Section 1. If a city not within a county has, with or without a contract with the owner or lessee of the property or such owner's or lessee's agent, trustee, contractor, or subcontractor, ordered a mechanic or other person to perform the work described in subsection 3 of section 429.015, RSMo, and if such city has paid the mechanic or other person in full at any time within one hundred twenty days after the mechanic or other person has completed such work, then such city shall, upon complying with the provisions of sections 429.010 to 429.340, have a lien on the property in lieu of the lien that the mechanic or other person would have had pursuant to subsection 3 of section 429.015, RSMo.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 26*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

**“Section 1. Notwithstanding any other provision of law to the contrary, any bonds issued by a local issuing entity for tax increment financing shall be an obligation of the local issuing entity and shall not be an obligation of the state, binding or otherwise, regardless of whether the state appropriates moneys to the local entity for payment of principal or interest on the bond obligations.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 27*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

**“Section 1. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than one million inhabitants.**

**2. Sections 99.866 to 99.874, RSMo, shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow the aforementioned tax increment financing projects to modify, amend or expand such projects (including redevelopment project costs) by not more than forty percent of such project original projected cost (including redevelopment project costs) as such projects (including redevelopment project costs) existed as of June 30, 2003, and shall allow the aforementioned tax incremented financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003.”; and**

Further amend the title or enacting clause accordingly.

*Senate Amendment No. 28*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 116, Section 135.259, Line 23, by inserting after all of said line the following:

**“135.263. In addition to the number of enterprise zones authorized pursuant to sections 135.206, 135.210, 135.211, 135.256, 135.257, 135.259, 135.260 and 135.261, the department of economic development shall designate one such zone in a contiguous area, not to exceed two thousand acres, only if such single zone is situated at least partly within:**

- (1) A village with more than three thousand but less than three thousand one hundred inhabitants;**
- (2) A home rule city with more than ten thousand but less than ten thousand one hundred inhabitants;**
- (3) A home rule city with more than twenty-two thousand but less than twenty-three thousand inhabitants; and**
- (4) A fourth class city with more than four hundred forty but less than four hundred fifty inhabitants; located in any county with a charter form of government and with more than one million inhabitants. Such enterprise zone designations shall only be made if such area meets all the requirements of section 135.205.”; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS#2 SCS HB 1348, as amended**: Senators Foster, Klindt, Cauthorn, Dougherty and Coleman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SS SCS SB 675, as amended**, and has taken up and passed **HS HCS SS SCS SB 675, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SS#2 SCS SBs 984 & 985, as amended**: Senators Steelman, Klindt, Cauthorn, Caskey and Coleman.

**HOUSE BILL WITH SENATE AMENDMENTS**

**SS SCS HB 1196, as amended**, relating to funding for transportation, was taken up by Representative Barnett.

On motion of Representative Barnett, **SS SCS HB 1196, as amended**, was adopted by the following vote:

AYES: 141

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curts	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Lowe	Luetkemeyer	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Schwab	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 004

Boatright	Hohulin	Reid	Roark
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PRESENT: 002

Jetton	Mayer
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ABSENT WITH LEAVE: 015

Baker	Ballard	Green 73	Lawson	Linton
Lograsso	Long	Luetkenhaus	Marble	Monaco
Purgason	Scheve	Scott	Treadway	Williams

VACANCIES: 001

On motion of Representative Barnett, **SS SCS HB 1196, as amended**, was read the third time and passed by the following vote:

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AYES: 137

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Bray 84	Britt	Brooks	Burcham	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Lograsso
Lowe	Luetkemeyer	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 005

Boatright	Hohulin	Rector	Reid	Roark
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PRESENT: 001

Jetton

ABSENT WITH LEAVE: 019

Baker	Ballard	Boykins	Byrd	Gaskill
Green 73	Lawson	Linton	Long	Luetkenhaus
Marble	Monaco	Moore	Murphy	Purgason
Scheve	Scott	Treadway	Wright	

VACANCIES: 001

Representative Britt declared the bill passed.

Speaker Kreider resumed the Chair.

Representative Gambaro assumed the Chair.

**BILL IN CONFERENCE**

**CCR SCS HB 1402, as amended**, relating to telecommunication services, was taken up by Representative Burton.

On motion of Representative Burton, **CCR SCS HB 1402, as amended**, was adopted by the following vote:

AYES: 129

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Bowman	Boykins	Britt	Burcham
Burton	Byrd	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Foley	Franklin
Gambaro	Gaskill	Gratz	Green 15	Green 73
Griesheimer	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
St. Onge	Surface	Thompson	Townley	Villa
Vogel	Wagner	Walker	Walton	Ward
Willoughby	Wilson 42	Wright	Mr. Speaker	

NOES: 019

Boucher	Bray 84	Brooks	Campbell	Farnen
Fraser	George	Graham	Hagan-Harrell	Harding
Holt	Lowe	Murphy	Paone	Smith
Treadway	Whorton	Williams	Wilson 25	

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 013

Clayton	Froelker	Harlan	Liese	Linton
Long	Luetkenhaus	Marsh	Monaco	Purgason
Richardson	Troupe	Van Zandt		

VACANCIES: 001

On motion of Representative Burton, **CCS SCS HB 1402**, was read the third time and passed by the following vote:

AYES: 126

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Britt	Burcham	Burton	Byrd
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Franklin	Fraser	Gambaro
Gaskill	Gratz	Green 15	Green 73	Griesheimer
Hampton	Hanaway	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Linton	Lograsso	Luetkemeyer	Marble
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Myers	Naeger	Nordwald
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	St. Onge	Thompson
Townley	Villa	Vogel	Wagner	Walker
Walton	Ward	Willoughby	Wilson 42	Wright
Mr. Speaker				

NOES: 018

Boucher	Bray 84	Brooks	Campbell	Farnen
George	Graham	Hagan-Harrell	Harding	Kelly 27
Lowe	Murphy	Paone	Smith	Treadway
Whorton	Williams	Wilson 25		

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 017

Baker	Boykins	Foley	Froelker	Harlan
Lawson	Liese	Long	Luetkenhaus	Marsh
Monaco	O'Connor	Purgason	Scheve	Surface
Troupe	Van Zandt			

VACANCIES: 001

Representative Gambaro declared the bill passed.

The emergency clause was adopted by the following vote:



AYES: 123

Baker	Ballard	Barnett	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Britt	Burcham	Burton	Byrd	Champion
Cierpiot	Clayton	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Foley
Franklin	Gambaro	Graham	Gratz	Green 15
Griesheimer	Hampton	Hanaway	Hartzler	Haywood
Hegeman	Henderson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 36	King
Lawson	Legan	Linton	Lograsso	Luetkemeyer
Marble	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Naege	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Skaggs
St. Onge	Surface	Townley	Villa	Vogel
Wagner	Walker	Walton	Whorton	Willoughby
Wilson 42	Wright	Mr. Speaker		

NOES: 019

Abel	Barnitz	Boucher	Bray 84	Brooks
Campbell	Farnen	Fraser	Hagan-Harrell	Harding
Kelly 27	Murphy	Rizzo	Shoemyer	Smith
Treadway	Ward	Williams	Wilson 25	

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 019

Boykins	Carnahan	Cooper	Froelker	Gaskill
George	Green 73	Harlan	Koller	Liese
Long	Lowe	Luetkenhaus	Marsh	Purgason
Scheve	Thompson	Troupe	Van Zandt	

VACANCIES: 001

Speaker Kreider resumed the Chair.

### THIRD READING OF SENATE BILL

**HCS SS#2 SB 1191**, relating to the Missouri Tobacco Settlement, was taken up by Representative Graham.

Representative Graham offered **HS HCS SS#2 SB 1191**.

Representative Graham offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 21, Section 8.560, Line 1, by deleting all of said lines and inserting in lieu thereof the following: "**petition pursuant to chapter 9 of the federal bankruptcy**"; and

Further amend said bill, Page 21, Section 8.560, Line 5, by deleting all of said line and inserting in lieu thereof the following: "**or become a debtor pursuant to chapter 9 or any successor**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 1** was adopted.

Representative Graham offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 7, Section 8.530, Line 18, by inserting after the word "**entities**" the following:

**"for the purpose of securing debt obligations with a maturity of not more than one year issued pursuant to Section 8.545 hereof"; and**

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Graham, **House Amendment No. 2** was adopted.

Representative Luetkemeyer offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, by inserting in the appropriate location the following:

**"Section 1. 1. There is established a joint committee of the General Assembly to be known as the "Advisory Committee on Tobacco Securitization", to be comprised of five members of the senate and five members of the house of representatives. Three of the senate members shall be appointed by the president pro tem of the senate and two by the senate minority leader. Three of the house members shall be appointed by the speaker of the house and two by the house minority leader. The appointment of each member shall continue during his or her term of office as a member of the general assembly or until a successor has been duly appointed to fill his or her place when his or her term of office as a member of the general assembly has expired.**

**2. The committee shall study and recommend who the financial advisors, investment bankers, and other professional advisors shall be for the Authority, and shall make a written report to the Authority within sixty days of passage of the bill. The committee shall also study and provide a written report by December 31 of each year to the Authority detailing suggested allowable projects and payments for which money from the tobacco settlement securitization settlement trust fund may be used in the next appropriation cycle."; and**

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Luetkemeyer, **House Amendment No. 3** was adopted.

Representative Byrd offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 3, Section 8.505, Line 2, after the word “shortfalls” inserting the phrase “**refund a portion of the general obligation indebtedness of the State.**”.

On motion of Representative Byrd, **House Amendment No. 4** was adopted.

Representative Harlan offered **House Amendment No. 5**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Pages 1 to 2, Section 8.010, by deleting said section and inserting in lieu thereof the following:

**“1. The governor, attorney general and lieutenant governor constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex-officio member of the board but shall not have the power to vote.”; and**

Further amend said bill, Page 5, Section 8.520, by deleting said section and inserting in lieu thereof the following:

**“The powers of the authority are vested in and shall be exercised by a board consisting of three members: the governor, the lieutenant governor, and the attorney general. The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex-officio member of the board but shall not have the power to vote. The treasurer of the state may serve as an ex officio member of the authority but shall not have the power to vote. Two members of the board constitute a quorum. The members shall elect a chairperson, vice chairperson, and secretary, annually, and other officers as the members determine necessary. Meetings of the board shall be held at the call of the chairperson or when a majority of the members so request. The members of the board shall not receive compensation by reason of their membership on the board.”.**

On motion of Representative Harlan, **House Amendment No. 5** was adopted.

Representative Jetton offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 19, Section 8.550, Line 22, by deleting the term “**two hundred million dollars**” and inserting in lieu thereof the following: “**one hundred seventy-five million dollars.**”; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Jetton, **House Amendment No. 6** was adopted.

Representative Bearden offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, by inserting in the appropriate location the following:

**“Notwithstanding any other provisions of law to the contrary, prior to any appropriation of securitized tobacco funds, \$20 million per year for three years shall be transferred to the Healthy Families Trust Fund, Tobacco Prevention Account and \$20 million per year for three years to the Healthy Families Trust Fund, Life Sciences Account.”; and**

Further amend title, enacting clause and intersectional references accordingly.

Representative Hosmer offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, by inserting in the appropriate location the following:

**“Notwithstanding any other provisions of law to the contrary, prior to any appropriation of securitized tobacco funds, 25 percent shall be transferred to the Healthy Families Trust Fund, Tobacco Prevention Account”;** and

Further amend title, enacting clause and intersectional references accordingly.

Representative Hosmer moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 011

Baker	Bartelsmeyer	Champion	Gaskill	Hosmer
Kelly 36	May 149	Portwood	Townley	Whorton
Wright				

NOES: 135

Abel	Barnett	Barnitz	Barry 100	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Britt
Brooks	Burcham	Burton	Byrd	Carnahan
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Holt	Hoppe
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	King	Koller

Lawson	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Mayer	Mays 50
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

PRESENT: 003

Bartle	Bearden	Monaco
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ABSENT WITH LEAVE: 013

Ballard	Bray 84	Campbell	Crump	Harlan
Hohulin	Hollingsworth	Kelly 27	Linton	Long
Marsh	Purgason	Van Zandt		

VACANCIES: 001

Representative Bearden moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Johnson (61) offered **House Amendment No. 8**.

Representative Froelker offered **House Substitute Amendment No. 1 for House Amendment No. 8**.

**House Substitute Amendment No. 1 for House Amendment No. 8** was withdrawn.

**House Amendment No. 8** was withdrawn.

Representative Luetkemeyer offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 20, Section 8.550, Line 3, by inserting after the end of said line the following:

**“Section 1. No money from the tobacco securitization settlement trust fund may be used to fund any publicly or privately owned sports facilities”; and**

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Luetkemeyer moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Byrd offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 1191, Page 21, Section 8.570, Line 25, by deleting the phrase “The net proceeds of bonds issued to implement Sections 8.500 to 8.565 shall not exceed six hundred million dollars”.

On motion of Representative Byrd, **House Amendment No. 9** was adopted.

On motion of Representative Graham, **HS HCS SS#2 SB 1191, as amended**, was adopted by the following vote:

AYES: 114

Abel	Baker	Barnett	Barry 100	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Britt	Brooks
Burcham	Burton	Byrd	Carnahan	Champion
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Davis	Dolan
Enz	Fares	Farnen	Foley	Franklin
Fraser	Gambaro	George	Graham	Gratz
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Jetton
Jolly	Jones	Kelley 47	Kelly 144	Kelly 27
Legan	Liese	Luetkemeyer	Luetkenhaus	Marble
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Ransdall	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Villa	Vogel	Wagner	Walker	Ward
Williams	Willoughby	Wilson 42	Mr. Speaker	

NOES: 033

Barnitz	Bartelsmeyer	Behnen	Boatright	Bray 84
Campbell	Cierpiot	Daus	Dempsey	Froelker
Gaskill	Green 15	Hendrickson	Hohulin	Hosmer
Hunter	Johnson 61	Johnson 90	Kelly 36	King
May 149	Quinn	Rector	Roark	Schwab
St. Onge	Surface	Townley	Van Zandt	Walton
Whorton	Wilson 25	Wright		

PRESENT: 002

Bartle	Lowe
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ABSENT WITH LEAVE: 013

Ballard	Green 73	Harlan	Hoppe	Koller
Lawson	Linton	Lograsso	Long	Marsh
Purgason	Reid	Scheve		

VACANCIES: 001

**HS HCS SS#2 SB 1191, as amended,** was laid over.

### **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 74** - Fiscal Review and Government Reform (Fiscal Note)

### **COMMITTEE REPORTS**

**Committee on Miscellaneous Bills & Resolutions**, Chairman O'Toole reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 57**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 65**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Miscellaneous Bills & Resolutions, to which was referred **SCR 69**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Liese is no longer a member of the Fiscal Review and Government Reform Committee.

Representative Lawson has been appointed a member of the Fiscal Review and Government Reform Committee.

**COMMUNICATION**

May 16, 2002

Chief Clerk,

I respectfully request that the Journal reflect that House Amendment No. 6 to House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 923, 828, 876, 694 & 736, regarding mandatory Child Abuse Reporters, was Jointly sponsored by Representative Reid (78) and Representative Willoughby (33).

Thank you,

Philip Willoughby, 33<sup>rd</sup> District

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1270  
AND  
HOUSE BILL NO. 2032**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, with Senate Amendment No. 1, Senate Amendment No. 2, and Senate Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, as amended;
2. That the House recede from its position on House Bill No. 1270 and House Bill No. 2032;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, be Third Read and Finally Passed.



FOR THE SENATE:

/s/ Sen. Morris Westfall  
/s/ Sen. Bill Foster  
/s/ Sen. Betty Sims  
/s/ Sen. Harold Caskey  
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. William Gratz  
/s/ Rep. Randall Relford  
/s/ Rep. Deleta Williams  
/s/ Rep. Kenneth Legan  
/s/ Rep. Tom Burcham

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1898**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1898, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1898;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1898;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1898, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. John Russell  
/s/ Sen. Michael Gibbons  
/s/ Sen. Wayne Goode  
/s/ Sen. James Mathewson

FOR THE HOUSE:

/s/ Rep. Marsha Campbell  
/s/ Rep. James Foley  
/s/ Rep. Tim Harlan  
/s/ Rep. Patrick Naeger  
/s/ Rep. Steve Hunter

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE BILL NO. 1248**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, with House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 1248;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 1248, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ James Mathewson  
/s/ Ed Quick  
/s/ Chuck Gross  
/s/ David Klarich  
/s/ Michael Gibbons

FOR THE HOUSE:

/s/ James Foley  
/s/ Jim Kreider  
/s/ Chuck Graham  
/s/ Catherine Hanaway  
/s/ Shannon Cooper

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE NO. 2  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1446**

The Conference Committee appointed on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate

Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 18, and Senate Amendment No. 19, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, as amended;
2. That the attached Conference Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1446, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Bill Kenney  
/s/ Sen. Larry Rohrbach  
/s/ Sen. David Klindt  
/s/ Sen. Sidney Johnson  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Bill Luetkenhaus  
/s/ Rep. Dan Ward  
/s/ Rep. Gary Burton  
/s/ Rep. Blaine Luetkemeyer

**CONFERENCE COMMITTEE REPORT NO. 2  
ON  
HOUSE SUBSTITUTE  
FOR  
SENATE BILL NO. 1220**

The Conference Committee appointed on House Substitute for Senate Bill No. 1220, with House Amendment Nos. 1 and 2 to Part II and House Amendment No. 1 to Part IV, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on the House Substitute for Senate Bill No. 1220, with House Amendment Nos. 1 and 2 to Part II and House Amendment No. 1 to Part IV;
2. That the Senate recede from its position on Senate Bill No. 1220;
3. That the attached Conference Committee Substitute No. 2 for House Substitute for Senate Bill No. 1220, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Betty Sims  
/s/ Bill Kenney  
/s/ Pat Dougherty  
/s/ Harry Wiggins  
/s/ Anita Yeckel

FOR THE HOUSE:

/s/ Jim O'Toole  
/s/ Jim Foley  
/s/ Wayne Crump  
/s/ Mark Richardson

**ADJOURNMENT**

On motion of Representative Foley, the House adjourned until 9:00 a.m., Friday, May 17, 2002.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Seventy-second Day, Wednesday, May 15, 2002, page 2104, lines 7 through 27, by deleting all of said lines and inserting in lieu thereof the following:

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.159, Page 33, Line 8, by deleting "**115.247**" and inserting in lieu thereof "**115.427**"; and

Further amend said substitute, Section 115.126, Page 22, Lines 16-19, by deleting the following:

**"Not later than August first of each year thereafter, each election authority shall submit to the secretary of state a plan and funding request to implement the provisions of this section."**

Page 2109, lines 16 through 24, by deleting all of said lines and inserting in lieu thereof the following:

*House Substitute Amendment No. 1  
for  
House Amendment No. 7*

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 675, Section 115.074, Page 9, Lines 21-24, by deleting all of said lines and inserting in lieu thereof the following:

**"upgrade or improve the voting process or equipment. Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may promulgate rules to"; and**

Further amend said substitute, Section 115.076, Page 11, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

**“Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may promulgate rules to”; and**

Further amend said substitute, Section 115.098, Page 18, Lines 2-4, by deleting all of said lines and inserting in lieu thereof the following:

**“dollars per hour. Such funding shall be in the form of matching grants. The secretary of state when awarding grants shall give priority to jurisdictions which have the highest number of residents according to the most recent federal census, with an income below the federal poverty level as established by the federal department of health and human services or its successor agency. The secretary of state may”.**

Pages 2091 and 2092, roll call, by showing Representatives Ridgeway and Wagner voting "aye" rather than "absent with leave".

Pages 2091 and 2092, roll call, by showing Representative Graham voting "no" rather than "absent with leave".

Page 2093, roll call, by showing Representatives Champion, Graham, Ridgeway and Wagner voting "aye" rather than "absent with leave".

Pages 2093 and 2094, roll call, by showing Representatives Graham and Hunter voting "aye" rather than "absent with leave".

Pages 2094 and 2095, roll call, by showing Representatives Graham and Ridgeway voting "aye" rather than "absent with leave".

Pages 2095 and 2096, roll call, by showing Representatives Bartelsmeyer, Graham, Reinhart and Ridgeway voting "aye" rather than "absent with leave".

Pages 2096 and 2097, roll call, by showing Representatives Bartelsmeyer, Carnahan, Graham, Hunter, Ridgeway, Secrest and Scott voting "aye" rather than "absent with leave".

Pages 2098 and 2099, roll call, by showing Representative Luetkenhaus voting "aye" rather than "absent with leave".

Pages 2098 and 2099, roll call, by showing Representative Boykins voting "no" rather than "absent with leave".

Page 2100, roll call, by showing Representatives Luetkenhaus and Ridgeway voting "aye" rather than "absent with leave".

Page 2100, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Pages 2100 and 2101, roll call, by showing Representatives Barnett, Boykins, Crowell, Fraser, Luetkenhaus and Wright voting "aye" rather than "absent with leave".

Pages 2101 and 2102, roll call, by showing Representatives Boykins, Cooper, Cunningham, Luetkenhaus and Smith voting "aye" rather than "absent with leave".

Page 2103, roll call, by showing Representatives Luetkenhaus and Ward voting "aye" rather than "absent with leave".

Pages 2105 and 2106, roll call, by showing Representatives Graham and McKenna voting "aye" rather than "absent with leave".

Pages 2105 and 2106, roll call, by showing Representatives Kelley (47) and Luetkenhaus voting "no" rather than "absent with leave".

Page 2110, roll call, by showing Representatives Kelley (47), Luetkenhaus, Shoemaker (8) and Wagner voting "aye" rather than "absent with leave".

Page 2110, roll call, by showing Representatives Reynolds, Ward and Wright voting "no" rather than "absent with leave".

Pages 2116 and 2117, roll call, by showing Representatives Fraser and Ridgeway voting "aye" rather than "absent with leave".

Pages 2116 and 2117, roll call, by showing Representatives Enz, Hosmer and McKenna voting "no" rather than "absent with leave".

Page 2121, roll call, by showing Representatives Jolly, Ransdall and Wright voting "aye" rather than "absent with leave".

Page 2121, roll call, by showing Representatives Jolly, Ransdall and Wright voting "aye" rather than "absent with leave".

Pages 2124 and 2125, roll call, by showing Representative Boykins voting "no" rather than "absent with leave".

Pages 2145 and 2146, roll call, by showing Representatives Abel, Bearden, Berkowitz, Boykins, Campbell, Clayton, Cooper, Cunningham, Enz, Froelker, Graham, Green (15), Hampton, Hanaway, Hoppe, Johnson (61), Koller, Kreider, Legan, Liese, Luetkenhaus, Naeger, Paone, Robirds, Ross, Schwab, Secrest, Shelton, Smith, Thompson, Van Zandt, Vogel, Wagner and Walton voting "aye" rather than "absent with leave".

Pages 2145 and 2146, roll call, by showing Representatives Griesheimer, Murphy and Nordwald voting "no" rather than "absent with leave".

Page 2158, roll call, by showing Representative Hunter voting "aye" rather than "absent with leave".

Page 2158, roll call, by showing Representatives Boykins and Hosmer voting "no" rather than "absent with leave".

Pages 2164 and 2165, roll call, by showing Representatives Boykins, Burcham, Champion, Graham and Ransdall voting "aye" rather than "absent with leave".

Page 2166, roll call, by showing Representatives Boykins, Champion, Kelly (27) and Ransdall voting "aye" rather than "absent with leave".

Page 2167, roll call, by showing Representatives Boykins, Graham, Hosmer and Kelly (27) voting "aye" rather than "absent with leave".

Pages 2168 and 2169, roll call, by showing Representatives Boykins, Graham, Hosmer, Kelly (27), Secrest and Wilson (42) voting "aye" rather than "absent with leave".

Pages 2169 and 2170, roll call, by showing Representatives Johnson (90), Kelley (47) and Willoughby voting "aye" rather than "absent with leave".

Pages 2170 and 2171, roll call, by showing Representatives Barry, Boykins, Graham, Hunter, Kelly (27), Roark and Shields voting "aye" rather than "absent with leave".

Pages 2171 and 2172, roll call, by showing Representatives Barry, Boykins, Carnahan, Graham, Johnson (90) and McKenna voting "aye" rather than "absent with leave".

Pages 2171 and 2172, roll call, by showing Representative Hunter voting "no" rather than "absent with leave".

Pages 2172 and 2173, roll call, by showing Representatives Boykins, Campbell, Carnahan, Graham, Kelly (27), McKenna and Scott voting "aye" rather than "absent with leave".

Pages 2175 and 2176, roll call, by showing Representative Ridgeway voting "no" rather than "absent with leave".

## **COMMITTEE MEETING**

### **FISCAL REVIEW AND GOVERNMENT REFORM**

Friday, May 17, 2002, 8:00 a.m. Hearing Room 3.

Executive Session.

Public Hearing to be held on: SB 1279

## HOUSE CALENDAR

SEVENTY-FOURTH DAY, FRIDAY, MAY 17, 2002

### HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1318 - George
- 2 HCS HB 1914 - Mays (50)
- 3 HCS HB 1680 - Hampton
- 4 HB 1708 - Daus
- 5 HB 1427 - Hosmer
- 6 HCS HB 1863 - Whorton
- 7 HCS HB 1923 - Barry
- 8 HB 1813 - Monaco
- 9 HB 1530 - Hoppe
- 10 HB 1721 - Shelton
- 11 HB 1211 - Smith
- 12 HB 1191 - Davis
- 13 HB 1198 - Graham
- 14 HB 1794, HCA 1 - Legan
- 15 HCS HB 1570 - Koller
- 16 HCS HB 1780 - Green (73)
- 17 HCS HB 1445 - Smith
- 18 HB 1663 - Seigfreid
- 19 HB 1596 - Harding
- 20 HB 1084 - Fraser
- 21 HCS HB 1321 & 1491 - Williams
- 22 HCS HB 1723 - Boucher
- 23 HB 1485 - Johnson (90)
- 24 HB 1439, HCA 1 - Myers
- 25 HB 1970 - Townley
- 26 HB 1052 - Ward
- 27 HCS HB 1725 - Walton
- 28 HB 1609 - Robirds
- 29 HCS HB 1828 - Cunningham
- 30 HCS HB 1407 - Riback Wilson (25)
- 31 HCS HB 1889 & 1946 - Foley
- 32 HCS HB 2065 - Ransdall
- 33 HCS HB 1077, 1187 & 1579 - Jolly
- 34 HCS HB 1599 - Lawson
- 35 HB 1233 - Harding
- 36 HCS HB 2086 - Sanders Brooks



**HOUSE BILL FOR PERFECTION - INFORMAL**

HB 1916 - Franklin

**HOUSE CONCURRENT RESOLUTION FOR ADOPTION AND THIRD READING**

HCS HCR 35, HS pending, (5-7-02, Pages 1716-1718) - Riback Wilson (25)

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HJR 32 - Barry

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1472, (Fiscal Review 2-25-02) - Whorton
- 2 HCS HB 1886, (Fiscal Review 4-29-02) - Rizzo
- 3 HS HCS HB 1231 - Harding

**SENATE CONCURRENT RESOLUTION FOR SECOND READING**

SCR 77

**SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

- 1 SCR 58, HCA 1 (Klarich)(4-9-02, Pages 1026-1027) - Luetkenhaus
- 2 SCR 65, (Loudon) (5-1-02, Page 1542) - Liese
- 3 SCR 69, (Schneider) (5-8-02, Page 1781) - O'Toole
- 4 SCS SCR 57, (Steelman) (5-8-02, Page 1784) - Willoughby

**SENATE BILL FOR THIRD READING - CONSENT**

SCS SB 988, (Caskey) - Hartzler

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 894, 975 & 927, E.C. (Kinder) - O'Toole
- 2 HCS SS SCS SB 931, (Klarich) - Monaco
- 3 HCS SB 1186, (Kenney) - Hoppe
- 4 HCS SS SB 665, (Kenney) - Hoppe
- 5 HCS SCS SB 1060, (Westfall) - Hoppe
- 6 HCS SCS SB 834, E.C. (Sims) - Hoppe
- 7 SCS SB 642, (Russell) - Reid
- 8 HCS SCS SB 739, (Wiggins) - Monaco
- 9 HCS SB 989, as amended (Caskey) 5-14-02) - Hartzler
- 10 HCS SCS SB 1137, (Bentley) - Hosmer

- 11 HCS SCS SB 662 & 704, (Westfall) - Monaco
- 12 SCS SB 878, (Sims) - Harding
- 13 HCS SCS SB 916, (Dougherty) - Smith
- 14 SCS SB 1203, (Yeckel) - Hilgemann
- 15 SB 896, (Yeckel) - Johnson (90)
- 16 HCS SS#2 SCS SB 1279, 1162 & 1164, (Kinder) (Fiscal Review 5-15-02) - Foley
- 17 SCS SB 1112 & 854, E.C. (Caskey) - O'Toole
- 18 HS HCS SS#2 SB 1191, E.C., as amended, (Jacob) - Graham

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HB 1701 - Luetkenhaus
- 2 SS SCS HCS HB 1143, as amended - Rizzo

#### **BILLS CARRYING REQUEST MESSAGES**

- 1 SCS HB 1953, as amended (request Senate recede/grant conference) - Van Zandt
- 2 HCS SS SCS SB 837, 866, 972 & 990, as amended (request House  
recede/grant conference) - Berkowitz
- 3 HS HCS SS SCS SB 923, 828, 876, 694 & 736, as amended (request House  
recede/grant conference) - Barry

#### **BILLS IN CONFERENCE**

- 1 CCR HS HCS SS SB 1248, as amended - Foley
- 2 CCR HCS SCS SB 1086 & 1126 - Hoppe
- 3 CCR#2 HS SB 1220, as amended - O'Toole
- 4 SS SCS HB 1712, as amended - Monaco
- 5 CCR SS#2 SCS HB 1446, as amended - Luetkenhaus
- 6 HS HCS SS SCS SB 970, 968, 921, 867, 868 & 738 - Koller
- 7 HS SCS SB 915, 710 & 907, as amended - Koller
- 8 HS#2 HCS SS SCS SB 969, 673 & 855, as amended, E.C. - Smith
- 9 HS HCS SCS SB 1061 & 1062, as amended - Harlan
- 10 SS SCS HS HCS HB 1962, as amended - Monaco
- 11 CCR SS SCS HB 1270 & HB 2032, as amended, E.C. - Gratz
- 12 SS HB 1748, as amended, E.C. - Ransdall
- 13 HS HCS SCS SB 680, as amended - Barry
- 14 CCR SS SCS HCS HB 1898, E.C. - Campbell
- 15 HS HCS SS SCS SB 670 & 684, as amended - Harlan
- 16 SS#2 SCS HB 1348, as amended - Myers
- 17 HS SS#2 SCS SB 984 & 985, as amended - Merideth

#### **HOUSE RESOLUTION**

- HR 1864, (5-15-02) - Shoemyer (9)

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SEVENTY-FOURTH DAY, FRIDAY, MAY 17, 2002

Speaker Kreider in the Chair.

Prayer by Representative Betty Thompson.

Thank God for another day, one that You and I have never seen, as we come to the end of another session, we thank God for the blessings He has bestowed upon us. We ask God to bless our families, our Speaker, fellow legislators and our Governor.

We must always remember our mission that we may be good and faithful servants of the people we represent. God, we ask that You put Your arms around us, as You have brought us through the good times as well as the tough times of the budget cuts.

We're not perfect, but we serve a perfect God, so we ask God that You continue to protect our children, our senior citizens, the disabled, veterans and the people of this great state. We ask these blessings in Your name. We shall walk together children and don't get weary, there'll be a great day coming in the Promised Land.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Katie Luetkenhaus, Andrew Luetkenhaus, Tori Louzader, Thomas Louzader, James Patrick Warren, Kevin Michael Warren, Kaitlin Brantley and Denny J. Merideth, IV.

The Journal of the seventy-third day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2086

and

House Resolution No. 2087 - Representative Wilson (42)

House Resolution No. 2088 - Representative Bonner

House Resolution No. 2089 - Representative Bearden

House Resolution No. 2090 - Representative Relford

House Resolution No. 2091

through

House Resolution No. 2094 - Representative Whorton

House Resolution No. 2095 - Representative Burton, et al

House Resolution No. 2096 - Representative Portwood

House Resolution No. 2097 - Representative Hunter

House Resolution No. 2098 - Representative Portwood

House Resolution No. 2099 - Representative Kelly (36)  
House Resolution No. 2100 - Representatives Ross and Lograsso  
House Resolution No. 2101 - Representative Jetton  
House Resolution No. 2102  
and  
House Resolution No. 2103 - Representative Relford  
House Resolution No. 2104 - Representative Rector  
House Resolution No. 2105 - Representative Burton, et al  
House Resolution No. 2106  
and  
House Resolution No. 2107 - Representative Ridgeway  
House Resolution No. 2108  
through  
House Resolution No. 2110 - Representatives Williams and Berkstresser  
House Resolution No. 2111  
and  
House Resolution No. 2112 - Representative Whorton  
House Resolution No. 2113 - Representatives Williams and Berkstresser  
House Resolution No. 2114 - Representative Ransdall  
House Resolution No. 2115 - Representative Whorton

### COMMITTEE REPORTS

**Committee on Fiscal Review and Government Reform**, Chairman Hollingsworth reporting:

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **SCR 74**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review and Government Reform, to which was referred **HCS SS#2 SCS SBs 1279, 1162 & 1164**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Speaker Pro Tem Abel assumed the Chair.

### SUPPLEMENTAL CALENDAR

May 17, 2002

### SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 74 - Kreider (5-8-02 p. 1783)
- 2 SCR 77 - Crump (5-16-02 p. 2212-2213)

# ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTION

**SCR 58, with House Committee Amendment No. 1**, relating to the disapproval of the insurance rule, was taken up by Representative Luetkenhaus.

Representative Luetkenhaus moved that **House Committee Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Luetkenhaus, **SCR 58** was read the third time and passed by the following vote:

AYES: 150

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hickey	Hilgemann	Hohulin
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 36	King	Koller
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Moore	Murphy	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Van Zandt	Villa	Vogel
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot	Foley	Franklin	Harlan	Holand
Kelly 27	Lawson	Lograsso	Monaco	Rector
Townley	Wagner			

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

### **BILL CARRYING REQUEST MESSAGE**

**HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended**, relating to children and families, was taken up by Representative Barry.

Representative Barry moved that the House refuse to recede from its position on **HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **HOUSE BILL WITH SENATE AMENDMENTS**

**SS SCS HCS HB 1143, as amended**, relating to distressed communities, was taken up by Representative Rizzo.

Representative Rizzo moved that the House refuse to adopt **SS SCS HCS HB 1143, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Representative Gambaro made a substitute motion that **SS SCS HCS HB 1143, as amended**, be referred to the Committee on Fiscal Review and Government Reform.

Speaker Pro Tem Abel ruled the substitute motion out of order.

Representative Rizzo again moved that the House refuse to adopt **SS SCS HCS HB 1143, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

### **ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTIONS**

**SCR 65**, relating to insurance against terrorism, was taken up by Representative Liese.

On motion of Representative Liese, **SCR 65** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt

Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambara	Gaskill	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Ballard	Cierpiot	Harlan	Henderson	Hosmer
Lawson	Lograsso	Monaco	Williams	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCR 74**, relating to the “Emory Melton Inn and Conference Center”, was taken up by Representative Kreider.

On motion of Representative Kreider, **SCR 74** was read the third time and passed by the following vote:

AYES: 149

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus

Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 002

Hickey Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Boucher	Cierpiot	Green 73	Henderson
Lawson	Lograsso	Luetkenhaus	Mays 50	Ostmann
Williams				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCS SCR 57**, relating to a joint committee on utility infrastructure, was taken up by Representative Willoughby.

On motion of Representative Willoughby, **SCS SCR 57** was read the third time and passed by the following vote:

AYES: 138

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley



Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Long	Lowe	Luetkemeyer	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright		

NOES: 011

Bartle	Burcham	Crawford	Hohulin	Hunter
Linton	Murphy	Purgason	Roark	Townley
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Carnahan	Green 73	Hampton	Henderson
Hilgemann	Lawson	Liese	Lograsso	Luetkenhaus
Monaco	Thompson	Williams		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**SCR 69**, relating to a sister-state relationship with the Province of Villa Clara, was taken up by Representative O'Toole.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt

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Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Koller	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 074

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Shields	Shoemaker	St. Onge
Surface	Townley	Vogel	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 002

Lawson Long

VACANCIES: 001

Representative O'Toole moved that **SCR 69** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 053

Abel	Barry 100	Bland	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Carnahan
Clayton	Crump	Curls	Daus	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Green 73	Hagan-Harrell	Hampton	Harding
Harlan	Haywood	Hickey	Hilgemann	Hoppe
Johnson 61	Jones	King	Koller	Mays 50
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Paone	Relford	Reynolds	Rizzo	Shelton
Skaggs	Smith	Thompson	Villa	Wagner
Walker	Walton	Wilson 25		

NOES: 098

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Bearden	Behnen	Berkowitz	Berkstresser	Black
Boatright	Bonner	Burcham	Burton	Byrd
Campbell	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crowell	Cunningham	Davis	Dempsey
Dolan	Enz	Fares	Froelker	Gratz
Green 15	Griesheimer	Hanaway	Hartzler	Henderson
Hendrickson	Holand	Hollingsworth	Holt	Hosmer
Hunter	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	Legan	Liese	Linton
Lograsso	Lowe	Luetkemeyer	Luetkenhaus	Marble
May 149	Mayer	McKenna	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shields
Shoemaker	Shoemyer	St. Onge	Surface	Townley
Treadway	Ward	Whorton	Williams	Willoughby
Wilson 42	Wright	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Gaskill	Hegeman	Hohulin	Jetton
Lawson	Long	Marsh	Troupe	Van Zandt
Vogel				

VACANCIES: 001

Representative Dolan requested a verification of the roll call on the motion to third read and pass **SCR 69**.

## HOUSE RESOLUTION

**HR 1864**, relating to the beef industry, was taken up by Representative Shoemyer (9).

Representative Wright offered **House Amendment No. 1**.

Representative Shoemyer (9) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Shoemyer (9), **HR 1864** was adopted by the following vote:

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AYES: 139

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Campbell	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hohulin	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Legan	Liese
Linton	Lowe	Luetkemeyer	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Rizzo	Roark	Robirds	Ross
Scheve	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker	Byrd	Carnahan	Clayton	Franklin
Gaskill	Green 73	Harlan	Henderson	Hilgemann
Holand	Hollingsworth	Kelly 144	Lawson	Lograsso
Long	Luetkenhaus	Monaco	Myers	Ridgeway
Schwab	Scott	Van Zandt		

VACANCIES: 001

### **ADOPTION AND THIRD READING OF SENATE CONCURRENT RESOLUTION**

**SCR 77**, relating to the meeting of interim committees, was taken up by Representative Crump.

Representative Crump moved that **SCR 77** be third read and passed.

The motion to third read and pass **SCR 77** was withdrawn.

**SCR 77** was laid over.

Speaker Kreider resumed the Chair.

Representative Villa assumed the Chair.

Speaker Kreider resumed the Chair.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SB 1248, as amended**, and has taken up and passed **CCS HS HCS SS SB 1248, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 1143, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1953, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HB 1953, as amended**: Senators Singleton, Sims, Steelman, Bland and Wiggins.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended**: Senators Sims, Bentley, Gross, Dougherty and Johnson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 1107, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

### APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SS SCS HCS HB 1143**: Representatives Rizzo, Scheve, Smith, Hanaway and Kelley (47)

**HS HCS SS SCS SBs 923, 828, 876, 694 & 736**: Representatives Barry, Johnson (90), Paone, Bartelsmeyer and Berkstresser

**BILL IN CONFERENCE**

**CCR HS HCS SS SB 1248, as amended**, relating to school funding, was taken up by Representative Foley.

On motion of Representative Foley, **CCR HS HCS SS SB 1248, as amended**, was adopted by the following vote:

AYES: 138

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Hendrickson
Hickey	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Lowe	Luetkemeyer	Luetkenhaus	Marsh	May 149
Mayer	McKenna	Merideth	Miller	Monaco
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Quinn	Ransdall	Reid	Relford	Richardson
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 011

Ballard	Boatright	Henderson	Hohulin	Hunter
Jetton	Murphy	Rector	Roark	Surface
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Cunningham	Froelker	Hagan-Harrell	Hilgemann	Holand
Long	Marble	Mays 50	Moore	Purgason
Reinhart	Reynolds	Ridgeway		

VACANCIES: 001

On motion of Representative Foley, **CCS HS HCS SS SB 1248** was truly agreed to and finally passed by the following vote:

AYES: 149

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curts	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 61	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Monaco
Moore	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 011

Ballard	Boatright	Griesheimer	Henderson	Hohulin
Hunter	Jetton	Murphy	Rector	Roark
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 002

Cooper Johnson 90

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burcham
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Purgason	Quinn	Ransdall
Reid	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 009

Ballard	Boatright	Henderson	Hohulin	Hunter
Jetton	Rector	Roark	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Luetkenhaus	Murphy	Van Zandt
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VACANCIES: 001

## MOTION

Representative Crump moved that the House grant leave to the officially appointed members of the House conference committees to meet while the House is in session.

Which motion was adopted.



### THIRD READING OF SENATE BILLS

**HS HCS SS#2 SB 1191, as amended**, relating to the Missouri Tobacco Settlement, was taken up by Representative Graham.

On motion of Representative Graham, **HS HCS SS#2 SB 1191, as amended**, was read the third time and passed by the following vote:

AYES: 121

Abel	Barnett	Barry 100	Bearden	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Britt	Brooks	Burton
Byrd	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Crump
Curls	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Henderson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Jetton	Johnson 61	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	King	Koller	Legan
Liese	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mayer	Mays 50	McKenna
Merideth	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 42
Mr. Speaker				

NOES: 035

Ballard	Barnitz	Bartelsmeyer	Behnen	Boatright
Bray 84	Burcham	Campbell	Cunningham	Daus
Dempsey	Froelker	Gaskill	Green 15	Hendrickson
Hohulin	Hosmer	Hunter	Johnson 90	Kelly 36
Linton	May 149	Portwood	Purgason	Quinn
Rector	Roark	Robirds	Shoemaker	St. Onge
Surface	Townley	Whorton	Wilson 25	Wright

PRESENT: 001

Bartle

ABSENT WITH LEAVE: 005

Baker	Lawson	Long	Monaco	Thompson
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VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Abel	Baker	Barnitz	Barry 100	Bearden
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Jetton	Johnson 61	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Legan	Liese	Lograsso	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Ransdall	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemyer	Skaggs	Thompson	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 024

Ballard	Barnett	Bartelsmeyer	Behnen	Boatright
Burcham	Daus	Green 15	Hendrickson	Hohulin
Hosmer	Hunter	Johnson 90	Linton	Purgason
Quinn	Rector	Roark	Shoemaker	St. Onge
Surface	Townley	Whorton	Wright	

PRESENT: 002

Bartle	Smith
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ABSENT WITH LEAVE: 004

Harlan	Lawson	Long	Troupe
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VACANCIES: 001

Speaker Pro Tem Abel resumed the Chair.

**HCS SCS SBs 894, 975 & 927**, relating to a sales tax holiday, was taken up by Representative O'Toole.

**HCS SCS SBs 894, 975 & 927** was laid over.

**HCS SCS SB 834**, relating to liquor sales, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS SCS SB 834**.

Representative Siegfried offered **House Amendment No. 1**.

**House Amendment No. 1** was withdrawn.

Representative Luetkemeyer offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 834, Page 19, Section 311.178, Line 3, by deleting the words “seventy-five” and inserting in lieu thereof the words “**sixty-five**”.

Representative Luetkemeyer moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Hoppe, **HS HCS SCS SB 834** was adopted.

On motion of Representative Hoppe, **HS HCS SCS SB 834** was read the third time and passed by the following vote:

AYES: 114

Abel	Barnett	Barry 100	Bearden	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Byrd	Campbell	Carnahan	Clayton	Copenhaver
Crowell	Crump	Curls	Daus	Davis
Dempsey	Dolan	Fares	Farnen	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Harding	Hartzler
Haywood	Hegeman	Henderson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Jetton
Johnson 61	Johnson 90	Jones	Kelly 27	Kelly 36
King	Koller	Liese	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	May 149	Mays 50
McKenna	Merideth	Monaco	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Reinhart	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Ross	Scheve	Schwab
Secrest	Seigfried	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

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NOES: 039

Ballard	Barnitz	Bartelsmeyer	Bartle	Behnen
Boatright	Burcham	Burton	Champion	Cierpiot
Crawford	Cunningham	Enz	Gaskill	Green 15
Hampton	Hanaway	Hendrickson	Hosmer	Hunter
Jolly	Kelley 47	Kelly 144	Legan	Linton
Marble	Marsh	Mayer	Miller	Moore
Purgason	Rector	Roark	Robirds	Scott
Smith	St. Onge	Surface	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Cooper	Foley	Franklin	Harlan
Hohulin	Lawson	Reid	Troupe	

VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 108

Abel	Baker	Barry 100	Bearden	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Byrd	Campbell	Carnahan	Clayton	Cooper
Copenhaver	Crowell	Crump	Curls	Daus
Davis	Dempsey	Dolan	Fares	Farnen
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 73	Griesheimer
Hagan-Harrell	Hartzler	Haywood	Hegeman	Henderson
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Jetton	Johnson 61	Johnson 90	Jones	Kelly 27
King	Liese	Lograsso	Long	Lowe
Luetkemeyer	Marble	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Murphy	Myers
Nordwald	O'Connor	Ostmann	Overschmidt	Paone
Portwood	Quinn	Ransdall	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Ross	Schwab
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Thompson	Townley
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42		

NOES: 040

Ballard	Barnett	Barnitz	Bartelsmeyer	Bartle
Behnen	Boatright	Burcham	Burton	Champion
Crawford	Cunningham	Enz	Green 15	Hampton
Hanaway	Harding	Hendrickson	Holand	Hosmer

Hunter	Jolly	Kelley 47	Kelly 144	Kelly 36
Legan	Linton	Marsh	Mayer	Moore
Phillips	Purgason	Rector	Reid	Roark
Robirds	Scott	Smith	Surface	Wright

PRESENT: 004

Koller	Naeger	Scheve	Mr. Speaker
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ABSENT WITH LEAVE: 010

Cierpiot	Foley	Harlan	Hohulin	Lawson
Luetkenhaus	O'Toole	Richardson	Secrest	Troupe

VACANCIES: 001

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 1150, 1237 & 1327**, entitled:

An act to amend chapters 32 and 144, RSMo, by adding thereto ten new sections relating to assessment and collection procedures of the department of revenue, with an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, and Senate Amendment No. 6

### Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 10, Section 32.381, Line 3 of said page, by inserting after all of said line the following:

“137.073. 1. As used in this section, the following terms mean:

(1) “General reassessment”, changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) “Tax rate”, “rate”, or “rate of levy”, singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) “Tax rate ceiling”, a tax rate as revised by the taxing authority to comply with the provisions of this section or when a court has determined the tax rate; except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, RSMo, less all adjustments required pursuant to article X, section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) “Tax revenue”, when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term “tax revenue” shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, RSMo, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes

pursuant to chapter 67, RSMo, shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505, RSMo, and section 164.013, RSMo, in the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term "tax revenue", as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books **for any personal property, in the aggregate, or for any subclass of real property as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016**, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation **of each subclass of real property, individually, and personal property, in the aggregate**, exclusive of new construction and improvements. All political subdivisions shall immediately revise the **applicable** rates of levy for each purpose **for each subclass of real property, individually, and personal property, in the aggregate**, for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year **for each subclass of real property, individually, and personal property, in the aggregate**, except that the rate may not exceed the greater of the rate in effect in the 1984 tax year or the most recent voter-approved rate. **Such tax revenue shall not include any receipts from ad valorem levies on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property. Where the taxing authority is a school district for the purposes of revising the applicable rates of levy for each subclass of real property, the tax revenues from state-assessed railroad and utility property shall be apportioned and attributed to each subclass of real property based on the percentage of the total assessed valuation of the county that each subclass of real property represents in the current taxable year.** As provided in section 22 of article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor shall be limited to the actual assessment growth [within] **in the aggregate** for the political subdivision, exclusive of new construction and improvements, but not to exceed the consumer price index or five percent, whichever is lower. **Should the tax revenue of a political subdivision from the various tax rates determined in this subsection be different than the tax revenue that would have been determined from a single tax rate as calculated pursuant to the method of calculation in this subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of those subclasses of real property, individually, and/or personal property, in the aggregate, in which there is a tax rate reduction, pursuant to the provisions of this subsection. Such revision shall yield an amount equal to such difference and shall be apportioned among such subclasses of real property, individually, and/or personal property, in the aggregate, as per the relative tax rate reduction of such subclasses of real property, individually, and/or personal property, in the aggregate.**

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, RSMo, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling **for the particular subclass of real property or for personal property, in the aggregate**, in the prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate **for the particular subclass of real property or for personal property, in the aggregate**, after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the

corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive for the three-year period preceding such determination.

4. (1) In order to implement the provisions of this section and section 22 of article X of the Constitution of Missouri, the term “improvements” shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, RSMo, sections 135.200 to 135.255, RSMo, and section 353.110, RSMo, shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. The assessor shall certify the amount of new construction and improvements for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and section 22, article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on June first of each year over the immediately preceding prior twelve-month period in order that political subdivisions shall have this information available in setting their tax rates according to law and section 22 of article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and section 22 of article X of the Missouri Constitution, the term “property” means all taxable property, including state assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or section 22 of article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and section 22 of article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of section 10(c) of article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to section 22 of article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with section 22 of article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo, shall be applied to the tax rate as established pursuant to this section and section 22 of article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be the current tax rate ceiling. The increased tax rate ceiling as approved may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate.

(3) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval.

**(4) In a year of general reassessment, a governing body whose tax rate is lower than its tax rate ceiling shall revise its tax rate pursuant to the provisions of subsection 4 of this section as if its tax rate were at the tax rate ceiling. In a year following general reassessment, if such governing body intends to increase its tax rate, the governing body shall conduct a public hearing, and in a public meeting it shall adopt an ordinance, resolution**

or policy statement justifying its action prior to setting and certifying its tax rate. The provisions of this subdivision shall not apply to a taxing jurisdiction which receives some portion of its funding pursuant to chapter 163, RSMo.

6. (1) For the purposes of calculating state aid for public schools pursuant to section 163.031, RSMo, each taxing authority which is a school district shall determine its proposed tax rate as a blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first determining the total tax revenue of the property within the jurisdiction of the taxing authority, which amount shall be equal to the sum of the products of multiplying the assessed valuation of each class and subclass of property by the corresponding tax rate for such class or subclass, then dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then multiplying the resulting quotient by a factor of one-hundred. Where the taxing authority is a school district, such blended rate shall also be used by such school district for calculating revenue from state-assessed railroad and utility property as defined in chapter 151, RSMo, and for apportioning the tax rate by purpose.

(2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest [one/one hundredth] **one-tenth of a cent, unless its proposed tax rate is in excess of one dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-hundredth of a cent, it shall round up a fraction greater than or equal to [five/one thousandth] five/one-thousandth of one cent to the next higher [one/one hundredth] one/one-hundredth of a cent; if a taxing authority shall round to one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent.** Any taxing authority levying a property tax rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be prima facie valid if, after making the payment for which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that



the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031, RSMo. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. A taxing authority, including but not limited to a township, county collector, or collector of taxes, responsible for determining and collecting the amount of residential real property tax levied in its jurisdiction, shall report such amount of tax collected by December thirty-first of each year such property is assessed, to the state tax commission. The state tax commission shall compile the tax data by county or taxing jurisdiction and submit a report to the general assembly no later than January thirty-first of the following year.

137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable real property in the county owned by the person, or under his or her care, charge or management, and all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county of the first classification with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this paragraph, the word “comparable” means that:

- (a) Such sale was closed at a date relevant to the property valuation; and
- (b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percents of their true value in money:

- (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;
- (2) Livestock, twelve percent;
- (3) Farm machinery, twelve percent;
- (4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;
- (5) Poultry, twelve percent; and
- (6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

- (1) For real property in subclass (1), nineteen percent;
- (2) For real property in subclass (2), twelve percent; and
- (3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication,

as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. [If] **Before** the assessor [increases] **may increase** the assessed valuation of any parcel of subclass (1) real property by more than [seventeen] **fifteen** percent since the last assessment, excluding increases due to new construction or improvements, [then] the assessor shall conduct a physical inspection of such property.

**11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.**

**12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.**

**13. A county or city collector may accept credit cards as proper form of payment of outstanding property tax due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank for its service.**

**14. The provisions of sections 137.073, 137.115, 138.060 and 138.100 of this act shall become effective January 1, 2003 for any taxing jurisdiction which is partly or entirely within a county with a charter form of government with greater than one million inhabitants, and the provisions of sections 137.073, 137.115, 138.060 and 138.100 of this act shall become effective January 1, 2005 for all taxing jurisdictions in this state. Any county in this state may, by an affirmative vote of the governing body of such county, opt into the provisions of this act prior to January 1, 2005.**

138.060. 1. The county board of equalization shall, in a summary way, determine all appeals from the valuation of property made by the assessor, and shall correct and adjust the assessment accordingly. There shall be no presumption that the assessor's valuation is correct. **In any county with a charter form of government with a population greater than two hundred eighty thousand inhabitants but less than two hundred eighty-five thousand inhabitants, and in any county with a charter form of government with greater than one million inhabitants, and in any city not within a county, the assessor shall have the burden to prove that the assessor's valuation does not exceed the true market value of the subject property. In such county or city, in the event a physical inspection of the subject property is required by subsection 10 of section 137.115, RSMo, the assessor shall have the burden to establish the manner in which the physical inspection was performed and shall have the burden to prove that the physical inspection was performed in accordance with section 137.115, RSMo. In such county or city, in the event the assessor fails to provide sufficient evidence to establish that the physical inspection was performed in accordance with section 137.115, RSMo, the property owner shall prevail on the appeal as a matter of law.** At any hearing before the state tax commission or a court of competent jurisdiction of an appeal of assessment from a first class charter county or a city not within a county, the assessor shall not advocate nor present evidence advocating a valuation higher than that value finally determined by the assessor or the value determined by the board of equalization, whichever is higher, for that assessment period.

2. The county clerk shall keep an accurate record of the proceedings and orders of the board, and the assessor shall correct all erroneous assessments, and the clerk shall adjust the tax book according to the orders of such board and the orders of the state tax commission, except that in adding or deducting such percent to each tract or parcel of real estate as required by such board or state tax commission, he shall add or deduct in each case any fractional sum of less than fifty cents, so that the value of any separate tract shall contain no fractions of a dollar.

138.100. 1. The following rules shall be observed by such county boards of equalization:

(1) They shall raise the valuation of all tracts or parcels of land and all tangible personal property as in their opinion have been returned below their real value; but, after the board has raised the valuation of such property, notice shall be given that said valuation of such property has been increased and a hearing shall be granted; such notice shall be in writing and shall be directed to the owner of the property or the person controlling the same, at his last address as shown by the records in the assessor's office, and shall describe the property and the value thereof as increased; such

notice may be by personal service or by mail and if the address of such person or persons is unknown, notice may be given by publication in two newspapers published within the county; such notice shall be served, mailed or published at least five days prior to the date on which said hearing shall be held at which objections, if any, may be made against said increased assessment;

(2) They shall reduce the valuation of such tracts or parcels of land or of any tangible personal property which, in their opinion, has been returned above its true value as compared with the average valuation of all the real and tangible personal property of the county.

2. Such hearings shall end on the last Saturday of July of each year; provided, that the estimated true value of personal property as shown on any itemized personal property return shall not be conclusive on the assessor or prevent the assessor from increasing such valuation. Provided further that said board of equalization shall meet thereafter at least once a month for the purpose of hearing allegations of erroneous assessments, double assessments and clerical errors, and upon satisfactory proof thereof shall correct such errors and certify the same to the county clerk and county collector.

**3. The board of equalization in all counties with a charter form of government shall provide the taxpayer with written findings of fact and a written basis for the board's decision regarding any parcel of real property which is the subject of a hearing before any board of equalization.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1  
to  
Senate Amendment No. 3*

AMEND Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 2, Section 620.012, Line 1, by inserting after “RSMo.” the following: **“4. The provisions of this section shall terminate January 1, 2005.”.**

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 14, Section 144.1015, Line 27, by inserting after all of said line the following:

**“620.012. 1. Notwithstanding any other provision of law, before the director of revenue enters into any agreement to abate all or part of a taxpayer's liability to the state, including interest and additions to tax, the director shall forward a copy of the agreement to the attorney general before entering into such agreement.**

**2. Upon receiving the proposed agreement, the attorney general shall, within ten days, review and approve such agreement for its legal form and content as may be necessary to protect the legal interest of the state. If the attorney general does not approve, then the attorney general shall return the agreement with additional proposed provisions as may be necessary to the proper enforcement of the agreement as required to protect the state's legal interest. If the attorney general does not respond within ten days, or in the case of any agreement that involves an abatement of the taxpayer's tax liability, including interest and additions to tax, to the state of one million dollars or more, within thirty days, the agreement shall be deemed approved.**

**3. Communications related to the attorney general's review are attorney-client communications. The attorney general's written disposition shall be subject to chapter 610, RSMo.”; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1150, 1237 & 1327, Page 14, Section 144.1015, Line 27, by inserting after all of said line the following:

**“Section 1. The provisions of subsections 11 and 12 of section 137.115, RSMo, shall only apply in any county with a charter form of government with more than one million inhabitants.**

**Section 2. The provisions of subsection 3 of section 138.100, RSMo, shall only apply in any county with a charter form of government with more than one million inhabitants.”; and**

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

Representative Britt assumed the Chair.

## HOUSE BILL WITH SENATE AMENDMENTS

**SS SCS HCS HBs 1150, 1237 & 1327, as amended**, relating to assessment/collection procedures of the Department of Revenue, was taken up by Representative Bray.

On motion of Representative Bray, **SS SCS HCS HBs 1150, 1237 & 1327, as amended**, was adopted by the following vote:

AYES: 111

Abel	Baker	Barnett	Barry 100	Bartle
Bearden	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Clayton
Cooper	Crowell	Crump	Cunningham	Curls
Daus	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	George	Graham	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hanaway	Harding	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Koller	Liese	Linton	Lograsso
Lowe	Luetkenhaus	Marsh	May 149	McKenna
Moore	Murphy	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Portwood
Ransdall	Reid	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Roark	Ross	Scheve
Schwab	Secrest	Selby	Shelton	Shields
Skaggs	St. Onge	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Wagner	Walker
Walton	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 043

Ballard	Barnitz	Bartelsmeyer	Behnen	Berkowitz
Berkstresser	Black	Boatright	Burcham	Cierpiot
Copenhaver	Crawford	Davis	Gaskill	Gratz
Hampton	Henderson	Holand	Hunter	Kelly 144
Kelly 36	King	Legan	Luetkemeyer	Marble
Mayer	Merideth	Miller	Myers	Purgason
Quinn	Rector	Robirds	Scott	Seigfreid
Shoemaker	Shoemyer	Smith	Surface	Vogel
Ward	Whorton	Mr. Speaker		

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PRESENT: 000

ABSENT WITH LEAVE: 008

Harlan	Hohulin	Lawson	Long	Mays 50
Monaco	Phillips	Reinhart		

VACANCIES: 001

On motion of Representative Bray, **SS SCS HCS HBs 1150, 1237 & 1327, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 110

Abel	Barnett	Barry 100	Bartle	Bearden
Black	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Crowell	Crump	Cunningham
Curls	Daus	Dempsey	Dolan	Enz
Fares	Farnen	Franklin	Fraser	Froelker
Gambaro	George	Graham	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hanaway	Harding	Harlan
Hartzler	Haywood	Hegeman	Hendrickson	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Koller	Liese	Lograsso
Lowe	Luetkenhaus	Marsh	May 149	Mays 50
McKenna	Moore	Murphy	Naeger	Nordwald
O'Connor	Ostmann	Overschmidt	Paone	Portwood
Ransdall	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Roark	Ross	Scheve
Schwab	Secrest	Selby	Shelton	Shields
Skaggs	Smith	St. Onge	Surface	Thompson
Treadway	Troupe	Villa	Wagner	Walker
Walton	Williams	Willoughby	Wilson 25	Wilson 42

NOES: 042

Barnitz	Bartelsmeyer	Behnen	Berkowitz	Berkstresser
Boatright	Burcham	Copenhaver	Crawford	Davis
Gaskill	Gratz	Hampton	Henderson	Hohulin
Holand	Kelly 144	Kelly 36	King	Legan
Luetkemeyer	Marble	Mayer	Merideth	Miller
Myers	Phillips	Purgason	Quinn	Rector
Rizzo	Robirds	Scott	Seigfreid	Shoemaker
Shoemyer	Townley	Vogel	Ward	Whorton
Wright	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Ballard	Foley	Kelly 27	Lawson
Linton	Long	Monaco	O'Toole	Van Zandt

VACANCIES: 001

Representative Britt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 116

Abel	Baker	Barnett	Barnitz	Barry 100
Bearden	Behnen	Berkowitz	Black	Bland
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burton	Byrd	Campbell	Carnahan
Clayton	Cooper	Copenhaver	Crowell	Crump
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	George
Graham	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hickey	Hilgemann
Hollingsworth	Holt	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Koller	Liese	Linton	Lowe
Luetkenhaus	Marsh	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Ransdall	Reid	Relford
Reynolds	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Skaggs	Smith
St. Onge	Surface	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 043

Ballard	Bartelsmeyer	Bartle	Berkstresser	Boatright
Bonner	Burcham	Champion	Cierpiot	Crawford
Gaskill	Gratz	Henderson	Holand	Hoppe
Kelly 144	Kelly 36	King	Legan	Lograsso
Long	Luetkemeyer	Marble	May 149	Mayer
Phillips	Purgason	Quinn	Rector	Reinhart
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scott	Shoemaker	Shoemyer	Townley
Vogel	Whorton	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

Hohulin	Lawson	Monaco
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VACANCIES: 001

Speaker Pro Tem Abel resumed the Chair.

### **BILL CARRYING REQUEST MESSAGE**

**HS HCS SS SCS SB 1107, as amended**, relating to emergency services, was taken up by Representative Hoppe.

Representative Hoppe moved that the House refuse to recede from its position on **HS HCS SS SCS SB 1107, as amended**, and grant the Senate a conference.

Representative Richardson made a substitute motion that the House refuse to recede from its position on **HS HCS SS SCS SB 1107, as amended**, grant the Senate a conference, and the House conferees be bound to the House position on House Amendment No. 11.

The substitute motion was withdrawn.

Representative Hoppe again moved that the House refuse to recede from its position on **HS HCS SS SCS SB 1107, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HS HCS SS SCS SB 1107**: Representatives Hoppe, O'Connor, Holt, Dolan and Griesheimer  
**SCS HB 1953**: Representatives Van Zandt, Campbell, Riback Wilson (25), Cierpiot and Phillips

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, and has taken up and passed **CCS HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1402, as amended**, and has taken up and passed **CCS SCS HB 1402**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCR 41** and has taken up and passed **HCS SCR 41**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1398**.



Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HS HB 1399**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2137**, entitled:

An act to repeal section 54.261, RSMo, and to enact in lieu thereof one new section relating to compensation for county treasurers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1695**, entitled:

An act to repeal sections 354.085, 354.405, 354.603 and 376.1219, RSMo, and to enact in lieu thereof seven new sections relating to health insurance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SS#2 SCS SBs 984 & 985, as amended**, and has taken up and passed **CCS HS SS#2 SCS SBs 984 & 985**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SCS SBs 915, 710 & 907, as amended**, and has taken up and passed **CCS HS SCS SBs 915, 710 & 907**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1634**, entitled:

An act to repeal sections 141.610, 141.720, 141.750, 141.770, 141.790, 447.620, 447.622, 447.625, 447.632, 447.636, 447.638 and 447.640, RSMo, relating to land trusts and transfers, and to enact in lieu thereof seventeen new sections relating to the same subject.

With Senate Amendment No. 1

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Bill No. 1634, Page 1, Section A, Line 5, by inserting after all of said line the following:

“52.250. The collectors in third class counties shall collect a fee of one-half of one percent [and the collectors in fourth class counties shall collect a fee of one percent] of all current taxes collected, including current delinquent taxes, exclusive of all current railroad and utility taxes collected **on behalf of the county**, as compensation for mailing

the statements and receipts. All fees collected pursuant to this section shall be collected on behalf of the county and shall be paid into the county treasury. **Notwithstanding any provisions of law to the contrary, or any other provision of law in conflict with the provisions of this section, in all counties which become counties of the second or fourth classification after December 31, 2000, one-half of one percent of all current taxes collected, including current delinquent taxes allocable to each taxing authority within the county and the county shall continue to be deducted each year for mailing the statements and receipts, exclusive of all current railroad and utility taxes collected, and shall be deposited into the county general fund as required by this section as if the county had retained its classification as a county of either the third or the fourth classification.** Collectors in third and fourth class counties are entitled to collect such fees immediately upon an order of the circuit court [under] **pursuant to** section 139.031, RSMo. If the protest is later sustained and a portion of the taxes so paid is returned to the taxpayer the county shall return that portion of the fee collected on the amount returned to the taxpayer. **Such county collector may accept credit cards as proper form of payment of outstanding taxes due. No county collector may charge a surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank for its service.**

52.290. 1. In all counties except counties of the first classification having a charter form of government and any city not within a county, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of [five] **seven** percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. [Two-fifths] **Two-sevenths** of the fees collected [under] **pursuant to** the provisions of this section shall be paid into the county general fund, **two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the tax maintenance fund of the county as required by section 52.312** and [three-fifths] **three-sevenths** of the fees collected [under] **pursuant to** the provisions of this section shall be paid into the county employees' retirement fund created by sections 50.1000 to 50.1200, RSMo.

2. In all counties of the first classification having a charter form of government and any city not within a county, the collector shall collect on behalf of the county and pay into the county general fund a fee for the collection of delinquent and back taxes of two percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax **except that in a county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of three percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. Two-thirds of the fees collected pursuant to the provisions of this section shall be paid into the county general fund and one-third of the fees collected pursuant to this section shall be paid into the tax maintenance fund of the county as required by section 52.312, RSMo.**

3. Such county collector may accept credit cards as proper form of payment of outstanding delinquent and back taxes due. No county collector may charge a surcharge for payment by credit card.

52.312. Notwithstanding any provisions of law to the contrary, in addition to fees provided for in this chapter, or any other provisions of law in conflict with the provisions of this section, all counties, including a county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants other than counties of the first classification having a charter form of government and any city not within a county, subject to the provisions of this section, shall establish a fund to be known as the "Tax Maintenance Fund" to be used solely as a depository for funds received or collected for the purpose of funding additional costs and expenses incurred in the office of collector.

52.315. 1. The two-sevenths collected to fund the tax maintenance fund pursuant to section 52.290, shall be transmitted monthly for deposit into the tax maintenance fund and used for additional administration and operation costs for the office of collector. Any costs shall include, but shall not be limited to, those costs that require any additional out-of-pocket expense by the office of collector and it may include reimbursement to county general revenue for the salaries of employees of the office of collector for hours worked and any other expenses necessary to conduct and execute the duties and responsibilities of such office.

2. The tax maintenance fund may also be used by the collector for training, purchasing new or upgrading information technology, equipment or other essential administrative expenses necessary to carry out the duties and responsibilities of the office of collector, including anything necessarily pertaining thereto.

3. The collector has the sole responsibility for all expenditures made from the tax maintenance fund and shall approve all expenditures from such fund. All such expenditures from the tax maintenance fund shall not be used to substitute for or subsidize any allocation of county general revenue for the operation of the office of collector.

4. The tax maintenance fund may be audited by the appropriate auditing agency. Any unexpended

balance shall be left in the tax maintenance fund, to accumulate from year to year with interest.

52.317. Any county subject to the provisions of section 52.312 shall provide moneys for budget purposes in an amount not less than the approved budget in the previous year and shall include the same percentage adjustments in compensation as provided for other county employees as effective January first each year. Any moneys accumulated and remaining in the tax maintenance fund as of December thirty-first each year in all counties of the first classification without a charter form of government and any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants shall be limited to an amount equal to one-half of the previous year's approved budget for the office of collector, and any moneys accumulated and remaining in the tax maintenance fund as of December thirty-first each year in all counties other than counties of the first classification and any city not within a county, which collect more than four million dollars of all current taxes charged to be collected, shall be limited to an amount equal to the previous year's approved budget for the office of collector. Any moneys remaining in the tax maintenance fund as of December thirty-first each year that exceed the above established limits shall be transferred to county general revenue by the following January fifteenth of each year.

54.323. Notwithstanding any provisions of law to the contrary, in addition to fees provided for in this chapter, or any other provisions of law in conflict with the provisions of this section, all counties of the third and fourth classification adopting township organization subject to the provisions of this section, shall establish a fund to be known as the "Tax Maintenance Fund" to be used solely as a depository for funds received or collected for the purpose of funding additional costs and expenses incurred in the office of treasurer ex officio collector.

54.325. 1. In addition to the fees collected on all delinquent and back taxes by any treasurer ex officio collector pursuant to the provisions of this chapter and chapter 50, RSMo, such ex officio collector shall collect an additional two percent on all delinquent and back taxes and these additional fees shall be transmitted monthly for deposit into the tax maintenance fund pursuant to the provisions of section 54.323 and used for additional administration and operation costs for the office of treasurer ex officio collector. Any costs shall include, but shall not be limited to, those costs that require any additional out-of-pocket expense by the office of treasurer ex officio collector and it may include reimbursement to county general revenue for the salaries of employees of the office of treasurer ex officio collector for hours worked and any other expenses necessary to conduct and execute the duties and responsibilities of such office.

2. The tax maintenance fund may also be used by the treasurer ex officio collector for training, purchasing new or upgrading information technology, equipment or other essential administrative expenses necessary to carry out the duties and responsibilities of the office of treasurer ex officio collector, including anything necessarily pertaining thereto.

3. The treasurer ex officio collector has the sole responsibility for all expenditures made from the tax maintenance fund and shall approve all expenditures from such fund. All such expenditures from the tax maintenance fund shall not be used to substitute for or subsidize any allocation of county general revenue for the operation of the office of treasurer ex officio collector.

4. The tax maintenance fund may be audited by the appropriate auditing agency. Any unexpended balance shall be left in the tax maintenance fund, to accumulate from year to year with interest.

54.327. Any county of the third and fourth classification adopting township organization shall provide moneys for budget purposes in an amount not less than the approved budget in the previous year and shall include the same percentage adjustments in compensation as provided for other county employees as effective January first each year. Any moneys accumulated and remaining in the tax maintenance fund as of December thirty-first each year in all counties of the third and fourth classification adopting township organization shall be limited to an amount equal to the previous year's approved budget for the office of treasurer ex officio collector. Any moneys remaining in the tax maintenance fund as of December thirty-first each year that exceed the above established limits shall be transferred to county general revenue by the following January fifteenth of each year."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SCS SB 1107, as amended**: Senators Childers, Quick, Gibbons, Gross and Stoll.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 HB 1600**, entitled:

An act to repeal sections 318.100, 326.256, 326.271, 326.280, 326.283, 326.286, 326.289 and 326.292, RSMo, and to enact in lieu thereof twenty-nine new sections relating to licensing requirements for public accountants, private investigators and keepers of billiards tables, with penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2

*Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for House Bill No. 1600, Page 47, Section 326.292, Line 5 of said page, by inserting after all of said line the following:

“335.016. As used in [sections 335.011 to 335.096] **this chapter**, unless the context clearly requires otherwise, the following words and terms mean:

(1) “Accredited”, the official authorization or status granted by an agency for a program through a voluntary process;

(2) “Advanced practice nurse”, a nurse who has had education beyond the basic nursing education and is certified by a nationally recognized professional organization as having a nursing specialty, or who meets criteria for advanced practice nurses established by the board of nursing. The board of nursing may promulgate rules specifying which professional nursing organization certifications are to be recognized as advanced practice nurses, and may set standards for education, training and experience required for those without such specialty certification to become advanced practice nurses;

(3) “Approval”, official recognition of nursing education programs which meet standards established by the board of nursing;

(4) “Board” or “state board”, the state board of nursing;

(5) “Executive director”, a qualified [registered professional nurse] **individual** employed by the board as executive secretary or otherwise to administer the provisions of [sections 335.011 to 335.096] **this chapter** under the board's direction. Such person employed as executive director shall not be a member of the board;

(6) “Inactive nurse”, as defined by rule pursuant to section 335.061;

(7) A “licensed practical nurse” or “practical nurse”, a person licensed pursuant to the provisions of [sections 335.011 to 335.096] **this chapter** to engage in the practice of practical nursing;

(8) “Licensure”, the issuing of a license to practice professional or practical nursing to candidates who have met the specified requirements and the recording of the names of those persons as holders of a license to practice professional or practical nursing;

(9) “Practical nursing”, the performance for compensation of selected acts for the promotion of health and in the care of persons who are ill, injured, or experiencing alterations in normal health processes. Such performance requires substantial specialized skill, judgment and knowledge. All such nursing care shall be given under the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse. For the purposes of this chapter, the term “direction” shall mean guidance or supervision provided by a person licensed by a state regulatory board to prescribe medications and treatments or a registered professional nurse, including, but not limited to, oral, written, or otherwise communicated orders or directives for patient care. When practical nursing care is delivered pursuant to the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse, such care may be delivered by a licensed practical nurse without direct physical oversight;

(10) “Professional nursing”, the performance for compensation of any act which requires substantial specialized

education, judgment and skill based on knowledge and application of principles derived from the biological, physical, social and nursing sciences, including, but not limited to:

- (a) Responsibility for the teaching of health care and the prevention of illness to the patient and his or her family;
- (b) Assessment, nursing diagnosis, nursing care, and counsel of persons who are ill, injured or experiencing alterations in normal health processes;
- (c) The administration of medications and treatments as prescribed by a person licensed by a state regulatory board to prescribe medications and treatments;
- (d) The coordination and assistance in the delivery of a plan of health care with all members of a health team;
- (e) The teaching and supervision of other persons in the performance of any of the foregoing;
- (11) A “registered professional nurse” or “registered nurse”, a person licensed pursuant to the provisions of [sections 335.011 to 335.096] **this chapter** to engage in the practice of professional nursing.”; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute No. 2 for House Bill No. 1600, Pages 1-20, Section 324.1100-1140, by deleting all of said sections.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT NO. 2  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1270  
AND  
HOUSE BILL NO. 2032**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, with Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, as amended;
2. That the House recede from its position on House Bill No. 1270 and House Bill No. 2032;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 1270 and House Bill No. 2032, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Morris Westfall  
/s/ Sen. Bill Foster  
/s/ Sen. Betty Sims  
/s/ Sen. Harold Caskey  
/s/ Sen. Stephen Stoll

FOR THE HOUSE:

/s/ Rep. William Gratz  
/s/ Rep. Randall Relford  
/s/ Rep. Deleta Williams  
/s/ Rep. Kenneth Legan  
/s/ Rep. Tom Burcham

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE NO. 2  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NOS. 969, 673 & 855**

The Conference Committee appointed on House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855;
3. That the attached Conference Committee Substitute for House Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 969, 673 & 855, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Morris Westfall  
/s/ Roseann Bentley  
/s/ David Klindt  
/s/ Harold Caskey  
/s/ Maida Coleman

FOR THE HOUSE:

/s/ Phil Smith  
/s/ Craig Hosmer  
/s/ Phillip Britt

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1748**

The Conference Committee appointed on Senate Substitute for House Bill No. 1748, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, as amended, and Senate Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 1748, as amended;
2. That the House recede from its position on House Bill No. 1748;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 1748, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Sarah Steelman  
/s/ Sen. David Klindt  
/s/ Sen. John Cauthorn  
/s/ Sen. Sidney Johnson  
/s/ Sen. Harold Caskey

FOR THE HOUSE:

/s/ Rep. Bill Ransdall  
/s/ Rep. Randall Relford  
/s/ Rep. Philip Willoughby  
/s/ Rep. Daniel Hegeman  
/s/ Rep. Rex Rector

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE NO. 2  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1348**

The Conference Committee appointed on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1348, with Senate Amendment No. 1, as amended, Senate Amendment No. 2 and Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1348, as amended;
2. That the House recede from its position on House Bill No. 1348;

3. That the attached Conference Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1348, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Bill Foster  
/s/ Sen. David Klindt  
/s/ Sen. John Cauthorn  
/s/ Sen. Pat Dougherty  
/s/ Sen. Maida Coleman

FOR THE HOUSE:

/s/ Rep. Sam Berkowitz  
/s/ Rep. Frank Barnitz  
/s/ Rep. Wes Shoemyer  
/s/ Rep. Kenneth Legan  
/s/ Rep. Peter Myers

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE NO. 2  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NOS. 984 & 985**

The Conference Committee appointed on House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985, with House Amendment Nos. 1, 2, 3, 4, 5 and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985, as amended;
2. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985;
3. That the attached Conference Committee Substitute for House Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 984 & 985 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sarah Steelman  
/s/ John Cauthorn  
/s/ David Klindt  
/s/ Harold Caskey  
/s/ Maida Coleman

FOR THE HOUSE:

/s/ Denny Merideth  
/s/ Bill Ransdall  
/s/ Rex Barnett  
/s/ Gary Marble  
/s/ Van Kelly



# **BILLS IN CONFERENCE**

**CCR HCS SCS SBs 1086 & 1126**, relating to nuisance abatement, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **CCR HCS SCS SBs 1086 & 1126** was adopted by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Hagan-Harrell
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reinhart	Relford	Ridgeway
Rizzo	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Treadway	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 010

Boatright	Burcham	Crowell	Griesheimer	Nordwald
Purgason	Reynolds	Roark	Shoemaker	Townley

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Gaskill	Green 73	Harlan	Hollingsworth
Lawson	Ostmann	Reid	Richardson	Robirds
Thompson	Troupe			

VACANCIES: 001

On motion of Representative Hoppe, **CCS HCS SCS SBs 1086 & 1126** was truly agreed to and finally passed by the following vote:

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AYES: 136

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Jetton	Johnson 61	Johnson 90
Jolly	Jones	Kelley 47	Kelly 144	Kelly 36
King	Koller	Legan	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Myers	Naeger
O'Connor	O'Toole	Paone	Phillips	Portwood
Quinn	Ransdall	Rector	Reinhart	Ridgeway
Rizzo	Robirds	Ross	Scheve	Scott
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 010

Boatright	Burcham	Hohulin	Nordwald	Purgason
Reynolds	Roark	Schwab	Shoemaker	St. Onge

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker	Crowell	Foley	Green 73	Harlan
Kelly 27	Lawson	Linton	Marble	Murphy
Ostmann	Overschmidt	Reid	Relford	Richardson
Secrest				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR#2 SS SCS HB 1270 & HB 2032, as amended**, relating to special permits/oversized vehicles, was taken up by Representative Gratz.

On motion of Representative Gratz, **CCR#2 SS SCS HB 1270 & HB 2032, as amended**, was adopted by the following vote:

AYES: 126

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Cooper
Copenhaver	Crawford	Crump	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hampton	Hanaway	Harding	Hartzler	Haywood
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	Koller	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marsh
May 149	Mays 50	Merideth	Miller	Murphy
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Reid	Reinhart	Relford	Reynolds
Rizzo	Robirds	Ross	Scheve	Scott
Seigfreid	Selby	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 024

Ballard	Bartelsmeyer	Behnen	Boatright	Cierpiot
Crowell	Dolan	Hagan-Harrell	Henderson	Hunter
Jetton	Kelly 144	King	Linton	Lograsso
Marble	Mayer	Naeger	Purgason	Rector
Ridgeway	Roark	Schwab	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Cunningham	Foley	Green 73	Harlan
Long	McKenna	Monaco	Moore	Richardson
Secrest	Shelton			

VACANCIES: 001

On motion of Representative Gratz, **CCS#2 SS SCS HB 1270 & HB 2032** was read the third time and passed by the following vote:

AYES: 132

Abel	Barnett	Barnitz	Barry 100	Bartle
Bearden	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver

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Crawford	Crump	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Franklin
Fraser	Froelker	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Griesheimer	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	Mays 149	Mays 50	Merideth	Miller
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Rizzo
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 020

Ballard	Bartelsmeyer	Behnen	Boatright	Byrd
Cierpiot	Crowell	Cunningham	Dempsey	Hagan-Harrell
Henderson	Hunter	Kelly 144	Linton	Lograsso
Mayer	Murphy	Purgason	Ridgeway	Roark

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker	Foley	Green 73	Harlan	Hohulin
Long	McKenna	Richardson	Robirds	Troupe

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 122

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Cierpiot	Clayton	Copenhaver	Crawford
Crump	Curls	Daus	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Hollingsworth	Holt	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones

Kelley 47	Kelly 27	Kelly 36	Koller	Lawson
Legan	Liese	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Myers
Nordwald	O'Connor	O'Toole	Overschmidt	Paone
Portwood	Ransdall	Reid	Reinhart	Relford
Reynolds	Rizzo	Robirds	Ross	Scheve
Scott	Seigfreid	Selby	Shelton	Shields
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 037

Bartelsmeyer	Bartle	Bearden	Behnen	Boatright
Byrd	Champion	Cooper	Crowell	Cunningham
Dempsey	Enz	Hagan-Harrell	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelly 144
King	Linton	Lograsso	Mayer	Murphy
Naeger	Ostmann	Phillips	Purgason	Quinn
Rector	Ridgeway	Roark	Schwab	Secrest
Shoemaker	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 003

Green 73	Long	Richardson
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VACANCIES: 001

Speaker Kreider resumed the Chair.

Speaker Pro Tem Abel resumed the Chair.

**CCR HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, relating to sex offenses, was taken up by Representative Smith.

On motion of Representative Smith, **CCR HS#2 HCS SS SCS SBs 969, 673 & 855, as amended**, was adopted by the following vote:

AYES: 098

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Burton
Byrd	Campbell	Carnahan	Cierpiot	Clayton
Copenhaver	Crawford	Crowell	Crump	Curls
Daus	Davis	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Green 15	Green 73	Hagan-Harrell	Hanaway	Harding
Hartzler	Haywood	Hegeman	Hickey	Hilgemann
Holand	Hollingsworth	Hoppe	Hosmer	Johnson 61
Johnson 90	Jolly	Jones	Kelly 27	Koller

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Lawson	Legan	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Toole	Ostmann
Overschmidt	Paone	Quinn	Ransdall	Reid
Reinhart	Relford	Richardson	Ridgeway	Rizzo
Ross	Scheve	Schwab	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
St. Onge	Thompson	Troupe	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 060

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Berkstresser	Black	Boatright	Burcham	Champion
Cooper	Cunningham	Dempsey	Dolan	Enz
Froelker	Gaskill	Gratz	Griesheimer	Hampton
Henderson	Hendrickson	Holt	Hunter	Jetton
Kelley 47	Kelly 144	Kelly 36	King	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Phillips
Portwood	Purgason	Rector	Reynolds	Roark
Robirds	Scott	Secrest	Shoemaker	Surface
Townley	Treadway	Villa	Vogel	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Harlan	Hohulin	Liese	Van Zandt
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VACANCIES: 001

On motion of Representative Smith, **CCS HS#2 HCS SS SCS SBs 969, 673 & 855** was truly agreed to and finally passed by the following vote:

AYES: 147

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hagan-Harrell	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hohulin	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Jetton	Johnson 61	Johnson 90
Jolly	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Legan	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Toole	Ostmann	Overschmidt

Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Van Zandt
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 004

Hampton	O'Connor	Reynolds	Villa
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PRESENT: 000

ABSENT WITH LEAVE: 011

Baker	Foley	Franklin	Green 15	Harlan
Hilgemann	Hunter	Jones	Lawson	Liese
Mays 50				

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR SS HB 1748, as amended**, relating to drinking water fees, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR SS HB 1748, as amended**, was adopted by the following vote:

AYES: 150

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hendrickson	Hilgemann
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
McKenna	Merideth	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood

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Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Boykins	Clayton	Foley	Franklin
Harlan	Haywood	Hickey	Hohulin	Mays 50
Monaco	Mr. Speaker			

VACANCIES: 001

On motion of Representative Ransdall, **CCS SS HB 1748** was read the third time and passed by the following vote:

AYES: 145

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowicz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Campbell	Carnahan	Champion
Cierpiot	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Foley	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hagan-Harrell	Hampton	Hanaway	Harding	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Holand	Hollingsworth	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna
Merideth	Miller	Monaco	Moore	Murphy
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	St. Onge	Surface
Thompson	Townley	Treadway	Troupe	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Willoughby	Wilson 25	Wilson 42	Wright



NOES: 002

Koller Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Boykins	Byrd	Clayton	Franklin
Green 73	Harlan	Hartzler	Hohulin	Hoppe
Naeger	Smith	Van Zandt	Williams	Mr. Speaker

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 004

Lograsso Purgason Shoemyer Smith

NOES: 150

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Copenhaver
Crawford	Crowell	Crump	Cunningham	Curls
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Quinn	Ransdall
Rector	Reid	Reinhart	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Van Zandt	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Wright

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PRESENT: 001

Ballard

ABSENT WITH LEAVE: 007

Boykins	Foley	Franklin	Green 73	Harlan
Hohulin	Mr. Speaker			

VACANCIES: 001

**CCR SS#2 SCS HB 1348, as amended**, relating to boll weevil eradication, was taken up by Representative Myers.

On motion of Representative Myers, **CCR SS#2 SCS HB 1348, as amended**, was adopted by the following vote:

AYES: 151

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Clayton	Cooper
Copenhaver	Crawford	Crowell	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Haywood	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 002

Daus	Troupe
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PRESENT: 000

ABSENT WITH LEAVE: 009

Burton	Foley	Franklin	Green 73	Harlan
Hohulin	Reynolds	Williams	Mr. Speaker	

VACANCIES: 001

On motion of Representative Myers, **CCS SS#2 SCS HB 1348** was read the third time and passed by the following vote:

AYES: 153

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crawford	Crowell	Cunningham
Curls	Daus	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Hartzler	Hegeman	Henderson	Hendrickson
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright		

NOES: 000

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 008

Crump	Foley	Franklin	Green 73	Harlan
Haywood	Hohulin	Mr. Speaker		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

**CCR HS SS#2 SCS SBs 984 & 985, as amended**, relating to the Department of Natural Resources, was taken up by Representative Merideth.

On motion of Representative Merideth, **CCR HS SS#2 SCS SBs 984 & 985, as amended**, was adopted by the following vote:

AYES: 144

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Burton	Campbell
Carnahan	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Cunningham	Curls	Daus	Davis
Dempsey	Enz	Fares	Farnen	Fraser
Froelker	Gambaro	Gaskill	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Lograsso
Long	Lowe	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Moore	Murphy	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secret
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Villa	Vogel
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Byrd	Clayton	Crowell	Crump	Dolan
Foley	Franklin	Green 73	Harlan	Hickey
Holand	Luetkemeyer	Monaco	Ridgeway	Smith
Van Zandt	Williams	Mr. Speaker		

VACANCIES: 001

On motion of Representative Merideth, **CCS HS SS#2 SCS SBs 984 & 985** was truly agreed to and finally passed the following vote:

AYES: 148

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Boatright
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burcham	Byrd	Campbell
Carnahan	Champion	Cierpiot	Cooper	Copenhaver
Crawford	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Graham	Gratz	Green 15
Griesheimer	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hilgemann
Hohulin	Hollingsworth	Holt	Hoppe	Hosmer
Hunter	Jetton	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Murphy	Myers	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Purgason	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Wright		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Burton	Clayton	Crowell	Dolan	Green 73
Hagan-Harrell	Harlan	Hickey	Holand	Monaco
Richardson	Van Zandt	Williams	Mr. Speaker	

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #2 on **SS SCS HB 1270 & HB 2032, as amended**, and has taken up and passed **CCS#2 SS SCS HB 1270 & HB 2032**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 834** and has taken up and passed **HS HCS SCS SB 834**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HB 1455**, entitled:

An act to repeal sections 50.1020, 50.1040, 87.207, 104.050, 104.095, 104.110, 104.140, 104.250, 104.254, 104.270, 104.335, 104.344, 104.350, 104.374, 104.380, 104.400, 104.436, 104.438, 104.515, 104.540, 104.601, 104.620, 104.625, 104.800, 104.1015, 104.1018, 104.1021, 104.1024, 104.1039, 104.1054, 104.1066, 104.1072, 104.1075, 104.1093, 104.1200, 104.1210, 104.1215, 217.655 and 476.517, RSMo, and to enact in lieu thereof forty-six new sections relating to public retirement systems, with an emergency clause.

With Senate Amendment No. 2, Senate Amendment No. 3, Senate Substitute Amendment No. 1 for Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7 and Senate Amendment No. 8

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1455, Page 6, Section 71.203, Line 25, by inserting after all of said line the following:

“86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) “Accumulated contributions”, the sum of all mandatory contributions deducted from the compensation of a member and credited to the member's individual account, together with members' interest thereon;

(2) “Actuarial equivalent”, a benefit of equal value when computed upon the basis of mortality tables and interest assumptions adopted by the board of trustees;

(3) “Average final compensation”:

(a) With respect to a member who earns no creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last three years of creditable service as a police officer, or if the member has had less than three years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(b) With respect to a member who is not participating in the DROP pursuant to section 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date, and who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a policeman, or if the member has had less than two years of creditable service, then the average earnable compensation of the member's entire period of creditable service;

(c) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer for reasons other than death or disability before earning at least two years of creditable service after such return, the portion of the member's benefit attributable to creditable service earned before DROP entry shall be determined using average final compensation as defined in paragraph (a) of this subdivision; and the portion of the member's benefit attributable to creditable service earned after return to active participation in the system shall be determined using average final compensation as defined in paragraph (b) of this subdivision;

(d) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in the DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer after earning at least two years of creditable service after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision;

(e) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001,

or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and whose employment as a police officer terminates due to death or disability after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision; and

(f) [If a member who is described in paragraph (c) or (e) of this subdivision completes less than one full year of creditable service after returning to active participation in the system, the member's earnable compensation for the period immediately prior to DROP entry shall be added to the member's earnable compensation after the member's return to active participation for purposes of determining such member's average final compensation for his or her last year of creditable service] **With respect to the surviving spouse or surviving dependent child of a member who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a police officer or, if the member has had less than two years of creditable service, the average earnable compensation of the member's entire period of creditable service;**

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

(5) "Board of police commissioners", any board of police commissioners, police commissioners and any other officials or boards now or hereafter authorized by law to employ and manage a permanent police force in such cities;

(6) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the retirement system;

(7) "Creditable service", prior service plus membership service as provided in sections 86.200 to 86.366;

(8) "DROP", the deferred retirement option plan provided for in section 86.251;

(9) "Earnable compensation", the annual salary which a member would earn during one year on the basis of the member's rank or position as specified in the applicable salary matrix in section 84.160, RSMo, plus additional compensation for academic work as provided in subsection 9 of section 84.160, RSMo, plus shift differential as provided in subdivision (4) of subsection 10 of section 84.160, RSMo. Such amount shall [be determined without regard to] **include** the member's deferrals to a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section 125 of the Internal Revenue Code **or, effective October 1, 2001, to a transportation fringe benefit program pursuant to Section 132(f)(4) of the Internal Revenue Code.** Earnable compensation shall not include a member's additional compensation for overtime, standby time, court time, nonuniform time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member who is a noneligible participant, as defined in this subdivision, for any plan year beginning on or after October 1, 1996, shall not exceed the amount of compensation that may be taken into account under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of living, for such plan year. For purposes of this subdivision, a "noneligible participant" is an individual who first becomes a member on or after the first day of the first plan year beginning after the earlier of:

(a) The last day of the plan year that includes August 28, 1995; or

(b) December 31, 1995;

(10) "Internal Revenue Code", the federal Internal Revenue Code of 1986, as amended;

(11) "Mandatory contributions", the contributions required to be deducted from the salary of each member who is not participating in DROP in accordance with section 86.320;

(12) "Medical board", the board of physicians provided for in section 86.237;

(13) "Member", a member of the retirement system as defined by sections 86.200 to 86.366;

(14) "Members' interest", interest on accumulated contributions at such rate as may be set from time to time by the board of trustees;

(15) "Membership service", service as a policeman rendered since last becoming a member, except in the case of a member who has served in the armed forces of the United States and has subsequently been reinstated as a policeman, in which case "membership service" means service as a policeman rendered since last becoming a member prior to entering such armed service;

(16) "Plan year" or "limitation year", the twelve consecutive-month period beginning each October first and ending each September thirtieth;

(17) "Policeman" or "police officer", any member of the police force of such cities who holds a rank in such police force for which the annual salary is listed in section 84.160, RSMo;

(18) "Prior service", all service as a policeman rendered prior to the date the system becomes operative or prior to membership service which is creditable in accordance with the provisions of sections 86.200 to 86.366;

(19) "Retirement allowance", annual payments for life as provided by sections 86.200 to 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon termination of employment as a police officer and actual retirement;

(20) "Retirement system", the police retirement system of the cities as defined in sections 86.200 to 86.366;

(21) "Surviving spouse", the surviving spouse of a member who was the member's spouse at the time of the member's death.

86.213. 1. The general administration and the responsibility for the proper operation of the retirement system and for making effective the provisions of sections 86.200 to 86.366 are hereby vested in a board of trustees of ten persons. The board shall be constituted as follows:

(1) The president of the board of police commissioners of the city, ex officio. If the president is absent from any meeting of the board of trustees for any cause whatsoever, the president may be represented by any member of the board of police commissioners who in such case shall have full power to act as a member of the board of trustees;

(2) The comptroller of the city, ex officio. If the comptroller is absent from any meeting of the board of trustees for any cause whatsoever, the comptroller may be represented by either the deputy comptroller or the first assistant comptroller who in such case shall have full power to act as a member of the said board of trustees;

(3) Three members to be appointed by the mayor of the city to serve for a term of two years;

(4) Three members to be elected by the members of the retirement system of the city for a term of three years; provided, however, that the term of office of the first three members so elected shall begin immediately upon their election and one such member's term shall expire one year from the date the retirement system becomes operative, another such member's term shall expire two years from the date the retirement system becomes operative and the other such member's term shall expire three years from the date the retirement system becomes operative; provided, further, that such members shall be members of the system and hold office only while members of the system;

(5) Two members who shall be retired members of the retirement system to be elected by the retired members of the retirement system for a term of three years; except that, the term of office of the first two members so elected shall begin immediately upon their election and one such member's term shall expire two years from the date of election and the other such member's term shall expire three years from the date of election.

2. Any member elected chairman of the board of trustees may serve [a total of four years in that capacity which shall be limited to no more than two consecutive terms] **without term limitations**.

3. Each commissioned elected trustee shall be granted travel time by the St. Louis metropolitan police department to attend any and all functions that have been authorized by the board of trustees of the police retirement system of St. Louis. Travel time, **with compensation**, for a trustee shall not exceed thirty days in any board fiscal year.

86.251. 1. The board of trustees may develop and establish a deferred retirement option plan (DROP) in which members who are eligible for retirement but who have not terminated employment as police officers and who have not actually retired may participate. The DROP shall be designed to allow members with at least twenty years of creditable service or who have attained the age of fifty-five who have achieved eligibility for retirement and are entitled to a service retirement allowance and other benefits to postpone actual retirement, continue active employment and accumulate a deferred receipt of the service retirement allowance. No one shall participate in the DROP for a period exceeding five years.

2. Any member who has at least twenty years of creditable service or has attained the age of fifty-five may elect in writing before retirement to participate in the DROP. A member electing to participate in the DROP shall postpone actual retirement, shall continue in active employment and shall not receive any direct retirement allowance payments or benefits during the period of participation.

3. Upon the start of the participation in the DROP, the member shall cease to make any mandatory contributions to the system. No contribution shall be required by the city into the DROP account. During the period of participation in the DROP, the amount that the member would have received as a service retirement allowance if the member had actually retired instead of entering DROP shall be deposited monthly in the member's DROP account which shall be established in the member's name by the board of trustees. The member's service retirement allowance shall not be adjusted for any cost-of-living increases for any period prior to the member's termination of employment as a police officer and actual retirement. Cost-of-living increases, if any, for any period following the member's termination of employment as a police officer and actual retirement shall be applied only to monthly service retirement payments made following termination of employment as a police officer and actual retirement. Service earned during the period of participation in the DROP shall not be creditable service and shall not be counted in determination of any service retirement allowance or surviving spouse's or dependents' benefits. Compensation paid during the period of participation in the DROP shall not be earnable compensation and shall not be counted in the determination of any service retirement allowance or surviving spouse's or dependent's benefits. The member's service retirement allowance shall be frozen as of the date the member enters DROP. Except as specifically provided in sections 86.200 to 86.366, the member's frozen service retirement allowance shall not increase while the member is participating in DROP or after the member's



participation in DROP ends, and the member shall not share in any benefit improvement that is enacted or that becomes effective while such member is participating in the DROP.

4. A member shall cease participation in the DROP upon the termination of the member's employment as a police officer and actual retirement, or at the end of the five-year period commencing on the first day of the member's participation in the DROP, or as of the effective date, but in no event prior to October 1, 2001, of the member's election to return to active participation in the system, whichever occurs first. A member's election to return to active participation in the system before the end of the five-year period commencing on the first day of participation in the DROP shall be made and shall become effective in accordance with procedures established by the board of trustees, but in no event prior to October 1, 2001. Upon the member's termination of employment as a police officer and actual retirement, the member shall elect to receive the value of the member's DROP account, in one of the following forms of payment:

- (a) A lump sum payment; or
- (b) Equal monthly installments over a ten-year period.

Either form of payment should begin within thirty days after the member's notice to the board of trustees that the member has selected a particular option.

5. If a member who is participating in the DROP elects to return to active participation in the system or if a member who is participating in the DROP does not terminate employment as a police officer in the city for which the retirement system was established pursuant to sections 86.200 to 86.366 and actually retires at the end of the five-year period commencing on the first day of the member's participation in the DROP, the member shall return to active participation in the system and shall resume making mandatory contributions to the system effective as of the day after participation in the DROP ends or, if later, October 1, 2001. The board of trustees shall notify the police commissioners to begin deducting mandatory contributions from the member's salary and the member's employment period shall count as creditable service beginning as of the day the member returns to active participation.

6. In no event shall a member whose participation in DROP has ended for any reason be eligible to participate in DROP again.

7. Upon the member's termination of employment as a police officer and actual retirement, the member's mandatory contributions to the retirement system shall be paid to the member pursuant to subsection 4 of section 86.253.

8. If a member dies prior to termination of employment as a police officer and actual retirement while participating in the DROP or before the member has received full withdrawal of the amount in the member's DROP account under the installment optional payment form, the remaining balance of the member's DROP account shall be payable to the member's surviving spouse; or, if the member is then unmarried, to the member's dependent children in equal shares; or, if none, to the member's dependent mother or father; or, if none, to the member's designated beneficiary or, if no such beneficiary is then living, to the member's estate. Payment shall be made **in a lump sum** within sixty days after [the retirement system is notified of the member's death] **receipt by the board of trustees of evidence and proof of the death of a member**. In addition, the member's mandatory contributions, if any, that were not already paid to the member pursuant to subsection 4 of section 86.253 shall be paid to the member's surviving spouse pursuant to section 86.288.

9. If a member has elected to participate in the DROP and during such participation period applies for and receives benefits for an accidental disability retirement allowance pursuant to the provisions of section 86.263, the member shall forfeit all rights, claims or interest in the member's DROP account and the member's benefits shall be calculated as if the member has continued in employment and had not elected to participate in the DROP. Any portion of a DROP account that has been forfeited as provided in this subsection shall be a general asset of the system.

10. A member's DROP account shall earn interest equal to the rate of return earned by the system's investment portfolio on a market value basis, including realized and unrealized gains and losses, net of investment expense, as certified by the system's actuary. As of the [first] **last** day of each **plan** year[,], beginning [with the second fiscal year of] **after DROP participation begins**, the member's DROP account balance, determined as of the [first] **last** day of [such] **the prior plan** year, shall be credited with interest at the investment rate earned by the assets of the retirement system for [the] **such prior plan** year. If distribution of the member's DROP account balance is [completed during the year] **made in a lump sum under subsection 4 or 8 of this section**, interest **for the plan year of distribution** shall be credited[, based] on the [beginning] **ending** balance for the **prior plan** year **at the investment rate earned on the assets of the retirement system for the prior plan year**, in proportion to the part of the **plan** year preceding the date of [final distribution. No interest shall be credited on amounts, if any, added to the member's DROP account during the year in which the distribution of the account is completed] **the member's termination of employment or death**,

**whichever is earlier.** If the member's DROP account is paid in equal monthly installments pursuant to subsection [5] 4 of this section, [any] **interest during the installment period shall be credited as of the last day of each plan year ending after installment payment begins on the account balance as of the first or last day of the plan year, whichever is lower, at the investment rate earned by the assets of the system for the prior plan year. Interest for the year in which the final installment is paid shall be credited on the balance remaining after the final installment is paid, at the investment rate earned on the assets of the system for the prior plan year, in proportion to the part of the plan year preceding payment of the final installment. Any interest credited to the DROP account during the installment period shall be paid as soon as reasonably possible after the final monthly installment. No interest shall be credited on amounts, if any, added to the member's DROP account during the year in which the distribution of the account is completed.**

11. The board of trustees shall not incur any liability individually or on behalf of other individuals for any act or omission, made in good faith in relation to the DROP or assets credited to DROP accounts established by this section. The provisions of the Internal Revenue Code and regulations promulgated thereunder shall supersede any provision of this section if there is any inconsistency with the Internal Revenue Code or regulation.

12. Upon the receipt by the board of trustees of evidence and proof that the death of a member resulted from an event occurring while the member was in the actual performance of duty, and if the member is participating in the DROP, the member's surviving spouse or, if the member is then unmarried, the member's unmarried dependent children, may elect within thirty days after the member's death to have the amount in the member's DROP account paid in the form of a monthly survivor annuity. Payment of the survivor annuity shall begin within sixty days after the election is received. Payment to the member's surviving spouse shall continue until the surviving spouse's death; payment to the member's unmarried dependent children shall be made while any child qualifies as an unmarried dependent child pursuant to section 86.280. The survivor annuity shall be the actuarial equivalent of the member's DROP account as of the date [payment begins] **of the member's death.** In no event shall the total amount paid pursuant to this subsection be less than the member's DROP account balance as of the date [payment begins] **of the member's death.**

86.255. 1. Notwithstanding any other provision of the plan established in sections 86.200 to 86.366, if an eligible rollover distribution becomes payable to a distributee, the distributee may elect, at the time and in the manner prescribed by the board of trustees, to have any of the eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.

2. For purposes of this section, the following terms mean:

(1) "Direct rollover", a payment by the board of trustees from the fund to the eligible retirement plan specified by the distributee;

(2) "Distributee", a member, a surviving spouse or a spouse;

(3) "Eligible retirement plan", an individual retirement account described in Section 408(a) of the Internal Revenue Code, an individual retirement annuity described in Section 408(b) of the Internal Revenue Code, or a qualified trust described in Section 401(a) of the Internal Revenue Code that accepts the distributee's eligible rollover distribution **or, effective for eligible rollover distributions made on or after January 1, 2002, an annuity contract described in Section 403(b) of the Internal Revenue Code or an eligible plan under Section 457(b) of the Internal Revenue Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from this plan, and shall include, for eligible rollover distributions made on or after January 1, 2002, a distribution to a surviving spouse or to a spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Internal Revenue Code;**

(4) "Eligible rollover distribution", any distribution of all or any portion of a member's benefit, other than:

(a) A distribution that is one of a series of substantially equal periodic payments, made not less frequently than annually, for the life or life expectancy of the distributee or for the joint lives or joint life expectancies of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more;

(b) The portion of a distribution that is required under Section 401(a)(9) of the Internal Revenue Code; or

(c) [The] **Effective for distributions made on or after January 1, 2002, a portion of [any] a distribution [that is not includable in] shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includable in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in Section 408(a) or (b) of the Internal Revenue Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Internal Revenue Code that agrees to separately account for amounts so transferred, including to separately account for the portion of such distribution which is includable in gross income and the portion that is not so includable.**

3. The board of trustees shall, at least thirty days, but not more than ninety days, before making an eligible rollover distribution, provide a written explanation to the distributee in accordance with the requirements of Section 402(f) of the Internal Revenue Code.

4. If the eligible rollover distribution is not subject to Sections 401(a) and 417 of the Internal Revenue Code, such eligible rollover distribution may be made less than thirty days after the distributee has received the notice described in subsection 3 of this section, provided that:

(1) The board of trustees clearly informs the distributee of the distributee's right to consider whether to elect a direct rollover, and if applicable, a particular distribution option, for at least thirty days after the distributee receives the notice; and

(2) The distributee, after receiving the notice, affirmatively elects a distribution.

86.256. 1. In no event shall a member's annual benefit paid under the plan established pursuant to sections 86.200 to 86.366 exceed the amount specified in Section 415(b)(1)(A) of the Internal Revenue Code, as adjusted for any applicable increases in the cost of living, as in effect on the last day of the plan year, including any increases after the member's termination of employment.

2. **Effective for limitation years beginning after December 31, 2001**, in no event shall the annual additions to the plan established pursuant to sections 86.200 to 86.366, on behalf of the member, including the member's own mandatory contributions, exceed the lesser of:

(1) [Twenty-five] **One hundred** percent of the member's compensation, as defined for purposes of Section 415(c)(3) of the Internal Revenue Code, **for the limitation year**; or

(2) [Thirty] **Forty** thousand dollars, as adjusted for increases in the cost of living **under Section 415(d) of the Internal Revenue Code**.

3. Effective for limitation years beginning prior to January 1, 2000, in no event shall the combined plan limitation of Section 415(e) of the Internal Revenue Code be exceeded; provided that, if necessary to avoid exceeding such limitation, the member's annual benefit under the plan established pursuant to sections 86.200 to 86.366 shall be reduced to the extent necessary to satisfy such limitations.

4. For purposes of this section, Section 415 of the Internal Revenue Code, including the special rules under Section 415(b) applicable to governmental plans and qualified participants [in] **employed by a police [and] or fire department [plans]**, is incorporated in this section by reference.

**86.294. 1. Notwithstanding any other provision of the plan established in sections 86.200 to 86.366, and subject to the provisions of subsections 2, 3, and 4 of this section, effective January 1, 2002, the plan shall accept a member's rollover contribution or direct rollover of an eligible rollover distribution made on or after January 1, 2002, from a qualified plan described in Section 401(a) or 403(a) of the Internal Revenue Code, or an annuity contract described in Section 403(b) of the Internal Revenue Code, or an eligible plan under Section 457(b) of the Internal Revenue Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state. The plan will also accept a member's rollover contribution of the portion of a distribution from an individual retirement account or annuity described in Section 408(a) or (b) of the Internal Revenue Code that is eligible to be rolled over and would otherwise be includable in gross income.**

**2. The amount of such rollover contribution or direct rollover of an eligible rollover distribution shall not exceed the amount required to repay the member's accumulated contributions plus the applicable members' interest thereon from the date of withdrawal to the date of repayment in order to receive credit for such prior service in accordance with section 86.210, to the extent that Section 415 of the Internal Revenue Code does not apply to such repayment by reason of subsection (k)(3) thereof, or to purchase permissive service credit, as defined in Section 415(n)(3)(A) of the Internal Revenue Code, for the member under the plan in accordance with the provisions of section 105.691, RSMo.**

**3. Acceptance of any rollover contribution or direct rollover of eligible rollover distribution under this section shall be subject to the approval of the board of trustees and shall be made in accordance with procedures established by the board of trustees.**

**4. In no event shall the plan accept any rollover contribution or direct rollover distribution to the extent that such contribution or distribution consists of after-tax employee contributions which are not includable in gross income.**

**86.296. 1. Notwithstanding any other provision of the plan established in sections 86.200 to 86.366, and subject to the provisions of subsections 2 and 3 of this section, effective January 1, 2002, the plan shall accept a direct trustee-to-trustee transfer on behalf of a member from an annuity contract described in Section 403(b)**

of the Internal Revenue Code or an eligible plan under Section 457(b) of the Internal Revenue Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision.

2. A trustee-to-trustee transfer may be accepted by the plan only if the transfer is used to repay the member's accumulated contributions plus the applicable members' interest thereon from the date of withdrawal to the date of repayment in order to receive credit for such prior service in accordance with section 86.210, to the extent that Section 415 of the Internal Revenue Code does not apply to such repayment by reason of subsection (k)(3) thereof, or to purchase permissive service credit, as defined in Section 415(n)(3)(A) of the Internal Revenue Code, for the member under the plan in accordance with the provisions of section 105.691, RSMo.

3. Acceptance of any trustee-to-trustee transfer under this section shall be subject to the approval of the board of trustees and shall be made in accordance with procedures established by the board of trustees."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1455, Page 10, Section 87.231, Line 1, by inserting at the appropriate location the following:

"87.235. 1. **Effective May 1, 2002**, upon the receipt of evidence and proof that the death of a member was the result of an accident or exposure at any time or place, provided that at such time or place the member was in the actual performance of the member's duty and, in the case of an exposure, while in response to an emergency call, or was acting pursuant to orders, there shall be paid in lieu of all other benefits the following benefits:

(1) A retirement allowance to the widow during the person's widowhood of [fifty] **seventy** percent of the [deceased member's average final compensation] **pay then provided by law for the highest step in the range of salary for the next title or next rank above the member's range or title held at the time of the member's death**, plus ten percent of such compensation to or for the benefit of each unmarried dependent child of the deceased member, who is either under the age of eighteen, or who is totally and permanently mentally or physically disabled and incapacitated, regardless of age, but not in excess of a total of three children, including both classes, and paid as the board of trustees in its discretion directs;

(2) If no widow benefits are payable pursuant to subdivision (1), such total allowance as would have been paid had there been a widow shall be divided among the unmarried dependent children under the age of eighteen and such unmarried children, regardless of age, who are totally and permanently mentally or physically disabled and incapacitated, and paid to or for the benefit of such children as the board of trustees in its discretion shall direct;

(3) If there is no widow, or child under the age of eighteen years, or child, regardless of age, who is totally and permanently mentally or physically disabled and incapacitated, then an amount equal to the widow's benefit shall be paid to the member's dependent father or dependent mother, as the board of trustees shall direct, to continue until remarriage or death;

(4) Any benefit payable to, or for the benefit of, a child or children under the age of eighteen years pursuant to subdivisions (1) and (2) of this section shall be paid beyond the age of eighteen years through the age of twenty-five years in such cases where the child is a full-time student at a regularly accredited college, business school, nursing school, school for technical or vocational training or university, but such benefit shall cease whenever the child ceases to be a student. A college or university shall be deemed to be regularly accredited which maintains membership in good standing in a national or regional accrediting agency recognized by any state college or university. 2. No benefits pursuant to this section shall be paid to a child over eighteen years of age who is totally and permanently mentally or physically disabled and incapacitated, if such child is a patient or ward in a public-supported institution.

3. Wherever any dependent child designated by the board of trustees to receive benefits pursuant to this section is in the care of the widow of the deceased member, the child's benefits may be paid to the widow for the child."; and

Further amend said title, enacting clause and intersectional references accordingly.

*Senate Substitute Amendment No. 1  
for  
Senate Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1455, Page 69, Section 104.1075, Line 19 of said page, by inserting immediately after said line the following:

"104.1084. 1. For members of the general assembly, the provisions of this section shall supplement or replace the indicated other provisions of the year 2000 plan. "Normal retirement eligibility" means attainment of age fifty-five for a member who has served at least [two] **three** full biennial assemblies or the attainment of at least age fifty for a member who has served at least [two] **three** full biennial assemblies with a total of years of age and years of credited service which is at least eighty. A member shall receive two years of credited service for every full biennial assembly served. A full biennial assembly shall be equal to the period of time beginning on the first day the general assembly convenes for a first regular session until the last day of the following year. If a member serves less than a full biennial assembly, the member shall receive credited service for the pro rata portion of the full biennial assembly served.

2. For the purposes of section 104.1024, the normal retirement annuity of a member of the general assembly shall be an amount for life equal to one twenty-fourth of the monthly pay for a senator or representative on the annuity starting date multiplied by the years of credited service as a member of the general assembly. In no event shall any such member or eligible beneficiary receive annuity amounts in excess of one hundred percent of pay.

3. To be covered by the provisions of section 104.1030, or section 104.1036, a member of the general assembly must have served at least [two] **three** full biennial assemblies.

4. For members who are statewide elected officials, the provisions of this section shall supplement or replace the indicated other provisions of the year 2000 plan. "Normal retirement eligibility" means attainment of age fifty-five for a member who has served at least four years as a statewide elected official, or the attainment of age fifty with a total of years of age and years of such credited service which is at least eighty.

5. For the purposes of section 104.1024, the normal retirement annuity of a member who is a statewide elected official shall be an amount for life equal to one twenty-fourth of the monthly pay in the highest office held by such member on the annuity starting date multiplied by the years of credited service as a statewide elected official not to exceed twelve years.

6. To be covered by the provisions of sections 104.1030 and 104.1036, a member who is a statewide elected official must have at least four years as a statewide elected official.

7. The provisions of section 104.1045 shall not apply to persons covered by the general assembly and statewide elected official provisions of this section. Persons covered by the general assembly provisions and receiving a year 2000 plan annuity shall be entitled to a cost-of-living adjustment (COLA) when there are increases in pay for members of the general assembly. Persons covered by the statewide elected official provisions and receiving a year 2000 plan annuity shall be entitled to COLAs when there are increases in the pay for statewide elected officials in the highest office held by such person. The COLA described in this subsection shall be equal to and concurrent with the percentage increase in pay as described in section 105.005, RSMo. No COLA shall be less than zero.

8. Any member who serves under this chapter as a member of the general assembly or as a statewide elected official on or after August 28, 1999, shall not be eligible to receive any retirement benefits from the system under either the closed plan or the year 2000 plan based on service rendered on or after August 28, 1999, as a member of the general assembly or as a statewide elected official if such member is convicted of a felony that is determined by a court of law to have been committed in connection with the member's duties either as a member of the general assembly or as a statewide elected official, unless such conviction is later reversed by a court of law.

9. A member of the general assembly who has purchased or transferred creditable service shall not be subject to the cap on benefits pursuant to subsection 2 of this section for that portion of the benefit attributable to the purchased or transferred service."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1455, Page 6, Section 71.203, Line 25 of said page, by inserting immediately after the word “city” as it appears the first time on said line the word “**not**”.

*Senate Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1455, Page 2, Section 36.353, Lines 6-12 of said page, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1455, Page 6, Section 71.203, Lines 8-25, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Bill No. 1455, Page 10, Section 104.050, Lines 20-22, by deleting all of the underlined words on said lines after the word “months” on Line 20.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended**, and has taken up and passed **CCS HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HB 1650**, entitled:

An act to repeal sections 247.040, 250.140, 393.705, 393.847, 610.021, 640.100, 640.620, 644.016, 644.036, 644.051 and 644.052, RSMo, and to enact in lieu thereof eighteen new sections relating to water resources, with an emergency clause.

With Senate Amendment No.1

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1650, Pages 5-8, Section 249.669, Lines 1-111, by striking all of said section from the bill; and

Further amend Pages 10-14, Section 610.021, Lines 1-123, by striking said section from the bill; and

Further amend Page 18, Section 644.016, Lines 4-5, by striking said lines and inserting in lieu thereof the following:

**“(1) “Aquaculture facility”, a hatchery, fish farm, or other facility used for the production of aquatic animals that is required to have a permit pursuant to the federal Clean Water Act, as amended, 33 U.S.C. 1251, et seq.;”**; and

Further amend Section 644.051, Page 24, Line 62, by striking the words “, applicants and public” and inserting in lieu thereof the following: **“and applicants”**; and

Further amend said section and page, Line 70, by striking “Concerned.”; and

Further amend Page 33, Section 644.581, Lines 1-7, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

## HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 2137**, relating to compensation for county treasurers, was taken up by Representative Crump.

On motion of Representative Crump, **SCS HB 2137** was adopted by the following vote:

AYES: 094

Abel	Baker	Barnitz	Bartelsmeyer	Behnen
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Campbell	Carnahan	Clayton	Copenhaver	Crump
Curls	Daus	Davis	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Haywood	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Jones	Kelly 144	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Liese
Lowe	Luetkenhaus	May 149	Mays 50	McKenna
Merideth	Moore	Myers	O'Connor	O'Toole
Overschmidt	Paone	Ransdall	Rector	Reid
Relford	Reynolds	Richardson	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Van Zandt	Villa
Wagner	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 062

Ballard	Barnett	Bartle	Bearden	Black
Boatright	Burcham	Burton	Byrd	Champion
Cierpiot	Cooper	Crawford	Crowell	Cunningham
Dempsey	Dolan	Enz	Fares	Froelker
Gaskill	Hanaway	Hartzler	Hegeman	Henderson

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Hendrickson	Holand	Holt	Hunter	Jetton
Kelley 47	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	Mayer	Miller	Murphy
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Reinhart	Ridgeway	Roark
Robirds	Ross	Schwab	Scott	Secrest
Shields	St. Onge	Surface	Townley	Troupe
Vogel	Wright			

PRESENT: 001

Griesheimer

ABSENT WITH LEAVE: 005

Barry 100	Hohulin	Monaco	Shoemaker	Williams
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VACANCIES: 001

On motion of Representative Crump, **SCS HB 2137** was truly agreed to and finally passed by the following vote:

AYES: 112

Abel	Baker	Ballard	Barnitz	Barry 100
Bartelsmeyer	Behnen	Berkowitz	Berkstresser	Black
Bland	Boatright	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Brooks	Campbell
Carnahan	Champion	Clayton	Cooper	Copenhaver
Crump	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hegeman
Hendrickson	Hilgemann	Holand	Hollingsworth	Hoppe
Hosmer	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Lowe	Luetkemeyer
Luetkenhaus	Marble	May 149	Mays 50	McKenna
Merideth	Moore	Myers	Naeger	O'Connor
O'Toole	Overschmidt	Paone	Phillips	Ransdall
Rector	Reid	Relford	Reynolds	Richardson
Rizzo	Robirds	Scheve	Scott	Secrest
Seigfreid	Selby	Shoemyer	Skaggs	Smith
Treadway	Troupe	Van Zandt	Villa	Walker
Walton	Ward	Whorton	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 041

Barnett	Bartle	Bearden	Burcham	Burton
Byrd	Crawford	Crowell	Cunningham	Gaskill
Hanaway	Hartzler	Henderson	Holt	Hunter
Jetton	Kelley 47	Linton	Lograsso	Long
Marsh	Mayer	Miller	Murphy	Nordwald
Portwood	Purgason	Quinn	Reinhart	Ridgeway



Roark	Ross	Schwab	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Williams
Wright				

PRESENT: 001

Griesheimer

ABSENT WITH LEAVE: 008

Cierpiot	Hickey	Hohulin	Monaco	Ostmann
Shelton	Thompson	Wagner		

VACANCIES: 001

Speaker Pro Tem Abel declared the bill passed.

Speaker Kreider resumed the Chair.

**SS#2 HB 1600, as amended**, relating to licensing requirements, was taken up by Representative Treadway.

On motion of Representative Treadway, **SS#2 HB 1600, as amended**, was adopted by the following vote:

AYES: 140

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Clayton	Cooper	Crawford
Crowell	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Holand	Holt
Hoppe	Hosmer	Hunter	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mays 50
McKenna	Merideth	Miller	Monaco	Moore
Murphy	Myers	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	St. Onge	Surface
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Walker	Walton	Ward	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

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NOES: 002

Cunningham Mayer

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker	Boykins	Copenhaver	Crump	Foley
Franklin	Gaskill	Green 73	Hickey	Hohulin
Hollingsworth	Lograsso	Long	Naeger	Reynolds
Richardson	Smith	Thompson	Wagner	Williams

VACANCIES: 001

On motion of Representative Treadway, **SS#2 HB 1600, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 144

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Brooks
Burcham	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Ridgeway	Rizzo	Roark	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	St. Onge	Surface	Thompson	Townley
Troupe	Van Zandt	Villa	Vogel	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker	Berkowitz	Clayton	Crump	Foley
Franklin	Gaskill	Green 73	Harlan	Hickey
Lograsso	Long	Naeger	Reynolds	Richardson
Robirds	Treadway	Wagner		

VACANCIES: 001

Speaker Kreider declared the bill passed.

### **MOTION**

Representative Crump moved that Rule 60 (c) be suspended in order to take up conference committee reports for the remainder of the day.

The motion to suspend Rule 60 (c) was withdrawn.

### **CONFERENCE COMMITTEE REPORT ON HOUSE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NOS. 915, 710 & 907**

The Conference Committee appointed on House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, with House Amendment Nos. 1, 3, 4, 5, 6, 7, 8, 12, 13 and 15, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907;
3. That the attached Conference Committee Substitute for House Substitute for Senate Committee Substitute for Senate Bill Nos. 915, 710 & 907, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Morris Westfall  
/s/ John Russell  
/s/ Danny Staples

FOR THE HOUSE:

/s/ Don Koller  
/s/ Tim Green  
/s/ Sam Berkowitz  
/s/ Cindy Ostmann

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1143**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, with Senate Amendment Nos. 1, 2, 3, 7, 8, 10, 11, 12, 13, 16, 17, 21, 22, 23, 24, 25, 26, 27 and 28, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Amendment Nos. 8 and 27;
2. That the House recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, as amended;
3. That the Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, with Senate Amendment Nos. 1, 2, 3, 7, 10, 11, 12, 13, 16, 17, 21, 22, 23, 24, 25, 26, 28, and Conference Committee Amendment Nos. 1 and 2, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Bill Kenney  
/s/ Sen. Sarah Steelman  
/s/ Sen. David Klarich  
/s/ Sen. Wayne Goode

FOR THE HOUSE:

/s/ Rep. Henry Rizzo  
/s/ Rep. May Scheve  
/s/ Rep. Phil Smith  
/s/ Rep. Catherine Hanaway  
/s/ Rep. Pat Kelley

*Conference Committee Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 138, Section 135.535, Line 29 of said page, by deleting all of said line and inserting in lieu thereof the following: "credit has been allowed."; and

Further amend said bill, Page 139, Section 135.535, Lines 1 to 4 of said page, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

*Conference Committee Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1143, Page 150, Section 348.302, Line 7, by inserting after all of said line the following:

**"Section 1. 1. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project or any amendment, modification or expansion thereto, except as provided in subsection 2 of this section shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than two hundred fifty thousand inhabitants but fewer than three hundred thousand inhabitants.**

**2. Tax increment financing projects approved prior to July 1, 2003, pursuant to sections 99.800 to 99.865, RSMo, may allow the aforementioned tax increment financing projects to modify, amend or expand such projects (including redevelopment project costs) by not more than forty percent of such project original projected cost (including redevelopment project costs) as such projects (including redevelopment project costs) existed as of June 30, 2003, and shall allow the aforementioned tax incremented financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003."; and**

Further amend the title and enacting clause accordingly.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1953**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1953, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1953, as amended;
2. That the House recede from its position on House Bill No. 1953;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1953, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Marvin Singleton  
/s/ Sen. Betty Sims  
/s/ Sen. Sarah Steelman  
/s/ Sen. Mary Groves Bland  
/s/ Sen. Harry Wiggins

FOR THE HOUSE:

/s/ Rep. Tim Van Zandt  
/s/ Rep. Marsha Campbell  
/s/ Rep. Vicky Riback Wilson  
/s/ Rep. Connie Cierpiot  
/s/ Rep. Susan Phillips

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NOS. 923, 828, 876, 694 & 736**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, with House Amendment Nos. 2, 3, 5, 6, 7, 8, 10 and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 923, 828, 876, 694 & 736, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Betty Sims  
/s/ Roseann Bentley  
/s/ Chuck Gross  
/s/ Pat Dougherty  
/s/ Sidney Johnson

FOR THE HOUSE:

/s/ Joan Barry  
/s/ Judy Berkstresser  
/s/ Linda Bartelsmeyer  
/s/ Rick Johnson  
/s/ Toby Paone

**BILLS IN CONFERENCE**

**CCR HS SCS SBs 915, 710 & 907, as amended**, relating to transportation funding, was taken up by Representative Koller.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Villa	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 073

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Burcham
Burton	Byrd	Champion	Cooper	Crawford
Crowell	Cunningham	Dempsey	Dolan	Enz
Fares	Froelker	Gaskill	Griesheimer	Hanaway
Hartzler	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hunter	Jetton	Kelley 47	Kelly 144
King	Legan	Linton	Lograsso	Long
Luetkemeyer	Marble	Marsh	May 149	Mayer
Miller	Moore	Murphy	Myers	Naeger
Nordwald	Ostmann	Phillips	Portwood	Purgason
Quinn	Rector	Reid	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Secrest	Shields	Shoemaker	St. Onge	Surface
Townley	Vogel	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 002

Cierpiot Scott

VACANCIES: 001

On motion of Representative Koller, **CCR HS SCS SBs 915, 710 & 907, as amended**, was adopted by the following vote:

AYES: 097

Abel	Barnett	Barnitz	Barry 100	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Boykins	Britt	Burton
Byrd	Carnahan	Clayton	Copenhaver	Cunningham
Curls	Davis	Dempsey	Dolan	Enz

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Fares	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Harding	Harlan	Hartzler
Haywood	Hegeman	Hickey	Hilgemann	Hollingsworth
Hoppe	Johnson 90	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	King	Lawson	Liese
Lowe	Luetkenhaus	Marble	Marsh	Mays 50
McKenna	Merideth	Naeger	O'Connor	O'Toole
Ostmann	Paone	Portwood	Ransdall	Relford
Reynolds	Rizzo	Robirds	Scheve	Secrest
Seigfreid	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Thompson	Treadway
Van Zandt	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 052

Ballard	Bartelsmeyer	Bartle	Boatright	Bray 84
Burcham	Campbell	Champion	Cierpiot	Cooper
Crawford	Crowell	Daus	Froelker	Griesheimer
Hampton	Hanaway	Henderson	Hendrickson	Hohulin
Holand	Holt	Hunter	Jetton	Johnson 61
Kelly 144	Linton	Long	Luetkemeyer	May 149
Mayer	Miller	Murphy	Myers	Nordwald
Phillips	Purgason	Quinn	Rector	Reid
Reinhart	Ridgeway	Roark	Ross	Schwab
Scott	Selby	Surface	Townley	Troupe
Villa	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker	Bowman	Brooks	Crump	Gaskill
Hosmer	Koller	Legan	Lograsso	Monaco
Moore	Overschmidt	Richardson		

VACANCIES: 001

On motion of Representative Koller, **CCS HS SCS SBs 915, 710 & 907** was truly agreed to and finally passed by the following vote:

AYES: 104

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Behnen	Berkowitz	Berkstresser	Black
Bland	Bonner	Boucher	Boykins	Britt
Carnahan	Clayton	Copenhaver	Crump	Cunningham
Curls	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Harding
Harlan	Hartzler	Haywood	Hegeman	Hickey
Hilgemann	Hollingsworth	Hoppe	Johnson 90	Jolly
Jones	Kelley 47	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Lowe
Luetkenhaus	Marble	Mays 50	McKenna	Merideth



Monaco	Moore	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Portwood
Ransdall	Relford	Reynolds	Rizzo	Robirds
Scheve	Secrest	Seigfreid	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Thompson	Treadway	Van Zandt	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 055

Ballard	Bartle	Boatright	Bray 84	Brooks
Burcham	Burton	Campbell	Champion	Cierpiot
Cooper	Crawford	Crowell	Daus	Gaskill
Hampton	Hanaway	Henderson	Hendrickson	Hohulin
Holand	Holt	Hosmer	Hunter	Jetton
Johnson 61	Kelly 144	Linton	Lograsso	Long
Luetkemeyer	Marsh	May 149	Mayer	Miller
Murphy	Myers	Phillips	Purgason	Quinn
Rector	Reid	Reinhart	Richardson	Ridgeway
Roark	Ross	Schwab	Scott	Selby
Surface	Townley	Troupe	Villa	Wright

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Bowman	Byrd
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VACANCIES: 001

Speaker Kreider declared the bill passed.

**CCR SS SCS HCS HB 1143, as amended**, relating to distressed communities, was taken up by Representative Rizzo.

Representative Rizzo moved that Rule 60 (c) be suspended.

Representative Crump moved the previous question.

Which motion was defeated by the following vote:

AYES: 058

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Bray 84	Britt
Clayton	Crump	Curls	Davis	Farnen
Foley	Fraser	George	Graham	Green 15
Green 73	Hagan-Harrell	Harding	Haywood	Hickey
Hollingsworth	Hoppe	Hosmer	Johnson 61	Johnson 90
Jolly	Liese	Lowe	Luetkenhaus	Mays 50
Monaco	O'Connor	O'Toole	Overschmidt	Ransdall

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Relford	Reynolds	Rizzo	Scheve	Seigfreid
Selby	Shoemyer	Skaggs	Smith	Treadway
Villa	Wagner	Ward	Whorton	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 092

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Boykins
Brooks	Burcham	Burton	Byrd	Campbell
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Cunningham	Daus	Dempsey	Dolan
Enz	Fares	Froelker	Gambaro	Gaskill
Griesheimer	Hanaway	Harlan	Hartzler	Hegeman
Henderson	Hendrickson	Hilgemann	Hohulin	Holand
Holt	Hunter	Jetton	Jones	Kelley 47
Kelly 27	Kelly 36	King	Legan	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mayer	Miller	Moore	Myers
Naeger	Nordwald	Ostmann	Paone	Phillips
Portwood	Purgason	Quinn	Rector	Reid
Reinhart	Richardson	Ridgeway	Roark	Robirds
Ross	Schwab	Scott	Secrest	Shelton
Shields	Shoemaker	St. Onge	Surface	Thompson
Townley	Troupe	Van Zandt	Vogel	Walker
Walton	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker	Carnahan	Franklin	Gratz	Hampton
Kelly 144	Koller	Lawson	McKenna	Merideth
Murphy	Williams			

VACANCIES: 001

**CCR SS SCS HCS HB 1143, as amended,** was laid over.

**CCR SCS HB 1953, as amended,** relating to the Department of Health Advisory and Senior Services' Committee, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **CCR SCS HB 1953, as amended,** was adopted by the following vote:

AYES: 141

Abel	Baker	Barnett	Barnitz	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burton
Campbell	Carnahan	Champion	Cierpiot	Clayton
Cooper	Copenhaver	Crowell	Cunningham	Curls
Daus	Davis	Dempsey	Enz	Fares
Farnen	Franklin	Fraser	Froelker	Gambaro
Gaskill	George	Graham	Gratz	Green 15

Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Lawson	Legan	Liese
Linton	Lograsso	Long	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	McKenna	Merideth	Miller	Moore
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Paone	Phillips	Portwood	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Roark
Robirds	Ross	Scheve	Schwab	Scott
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Smith	St. Onge
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright				

NOES: 008

Ballard	Brooks	Burcham	Crawford	Hohulin
Hunter	Kelly 144	Purgason		

PRESENT: 000

ABSENT WITH LEAVE: 013

Barry 100	Byrd	Crump	Dolan	Foley
Green 73	Koller	Monaco	Murphy	O'Toole
Walton	Whorton	Mr. Speaker		

VACANCIES: 001

On motion of Representative Van Zandt, **CCS SCS HB 1953** was read the third time and passed by the following vote:

AYES: 140

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crowell	Crump	Cunningham
Daus	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Hegeman	Henderson
Hendrickson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Jetton	Johnson 61
Johnson 90	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Lawson	Legan	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mayer	Mays 50	McKenna

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Merideth	Miller	Moore	Myers	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Paone
Phillips	Portwood	Quinn	Ransdall	Rector
Reid	Reinhart	Relford	Reynolds	Ridgeway
Rizzo	Roark	Robirds	Ross	Scheve
Schwab	Scott	Secrest	Seigfreid	Selby
Shields	Shoemaker	Shoemyer	Skaggs	Smith
St. Onge	Surface	Thompson	Townley	Treadway
Troupe	Van Zandt	Villa	Vogel	Wagner
Walker	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 007

Ballard	Burcham	Crawford	Hohulin	Hunter
Kelly 144	Purgason			

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker	Brooks	Clayton	Curls	Foley
Green 73	Haywood	Koller	Liese	Linton
Monaco	Murphy	Overschmidt	Richardson	Shelton

VACANCIES: 001

Speaker Kreider declared the bill passed.

**CCR HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended**, relating to children and families, was taken up by Representative Barry.

Representative Barry moved that Rule 60 (c) be suspended.

Which motion was adopted by the following vote:

AYES: 091

Abel	Barnett	Barnitz	Barry 100	Bartelsmeyer
Bearden	Berkowitz	Berkstresser	Bland	Bonner
Boucher	Bray 84	Britt	Campbell	Carnahan
Clayton	Cooper	Copenhaver	Crump	Davis
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Hagan-Harrell	Hampton	Harding
Harlan	Hartzler	Haywood	Hickey	Hilgemann
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Johnson 90	Jolly	Kelly 27	Kelly 36	Koller
Lawson	Liese	Lowe	Luetkenhaus	May 149
Mays 50	McKenna	Merideth	Miller	Moore
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemaker

Shoemyer	Skaggs	Smith	St. Onge	Surface
Thompson	Treadway	Troupe	Wagner	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 062

Ballard	Bartle	Behnen	Black	Boatright
Bowman	Boykins	Brooks	Burcham	Burton
Byrd	Champion	Cierpiot	Crawford	Crowell
Cunningham	Curls	Daus	Enz	Froelker
Gaskill	Griesheimer	Hanaway	Hegeman	Henderson
Hendrickson	Hohulin	Jetton	Johnson 61	Jones
Kelley 47	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Marsh	Mayer	Murphy
Myers	Naeger	Nordwald	Phillips	Portwood
Purgason	Quinn	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	Townley	Villa	Walker
Walton	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker	Green 73	Holand	Kelly 144	Marble
Monaco	Reid	Van Zandt	Vogel	

VACANCIES: 001

Representative Crump moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Abel	Baker	Barnitz	Barry 100	Berkowitz
Berkstresser	Bland	Bonner	Boucher	Bowman
Boykins	Bray 84	Britt	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly
Jones	Kelly 27	Kelly 36	Lawson	Liese
Lowe	Luetkenhaus	Mays 50	McKenna	Merideth
Monaco	O'Connor	O'Toole	Overschmidt	Paone
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Thompson	Treadway	Van Zandt	Villa
Wagner	Walker	Ward	Whorton	Williams
Willoughby	Wilson 25	Wilson 42	Mr. Speaker	

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NOES: 076

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Brooks	Burcham
Burton	Byrd	Champion	Cierpiot	Cooper
Crawford	Crowell	Cunningham	Dempsey	Dolan
Enz	Fares	Froelker	Gaskill	Griesheimer
Hanaway	Hartzler	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Kelley 47
Kelly 144	King	Legan	Linton	Lograsso
Long	Luetkemeyer	Marble	Marsh	May 149
Mayer	Miller	Moore	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Portwood
Purgason	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Robirds	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Surface	Townley	Troupe	Vogel
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 002

Koller                      Walton

VACANCIES: 001

On motion of Representative Barry, **CCR HS HCS SS SCS SBs 923, 828, 876, 694 & 736, as amended**, was adopted by the following vote:

AYES: 089

Abel	Barry 100	Bartelsmeyer	Bearden	Berkowitz
Berkstresser	Bland	Bonner	Boucher	Bray 84
Britt	Burcham	Burton	Campbell	Carnahan
Champion	Clayton	Copenhaver	Crawford	Crump
Dempsey	Dolan	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Harding	Harlan	Hartzler	Henderson	Hickey
Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 90	Jolly	Kelly 27	Kelly 36	Lawson
Liese	Linton	Lowe	Luetkenhaus	Marsh
Mays 50	McKenna	Merideth	Moore	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Quinn
Ransdall	Relford	Reynolds	Rizzo	Scheve
Seigfreid	Selby	Shelton	Shields	Shoemyer
Skaggs	Smith	Surface	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Ward
Whorton	Williams	Willoughby	Mr. Speaker	

NOES: 065

Ballard	Barnett	Barnitz	Bartle	Behnen
Black	Boatright	Bowman	Boykins	Brooks
Byrd	Cierpiot	Cooper	Crowell	Cunningham
Curls	Daus	Davis	Enz	Froelker
Gaskill	Griesheimer	Hanaway	Hegeman	Hendrickson

Hohulin	Hunter	Jetton	Jones	Kelley 47
King	Legan	Lograsso	Long	Luetkemeyer
Marble	May 149	Mayer	Miller	Murphy
Myers	Naeger	Nordwald	Phillips	Portwood
Purgason	Rector	Reinhart	Richardson	Ridgeway
Roark	Robirds	Ross	Schwab	Scott
Secrest	Shoemaker	St. Onge	Thompson	Townley
Walker	Walton	Wilson 25	Wilson 42	Wright

PRESENT: 001

Haywood

ABSENT WITH LEAVE: 007

Baker	Hilgemann	Johnson 61	Kelly 144	Koller
Monaco	Reid			

VACANCIES: 001

On motion of Representative Barry, **CCS HS HCS SS SCS SBs 923, 828, 876, 694 & 736**  
was truly agreed to and finally passed by the following vote:

AYES: 098

Abel	Baker	Barry 100	Bartelsmeyer	Bearden
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bray 84	Britt	Burton	Byrd	Campbell
Carnahan	Champion	Clayton	Copenhaver	Crawford
Crump	Davis	Dempsey	Dolan	Fares
Farnen	Foley	Franklin	Fraser	Gambaro
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Henderson	Hickey	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Johnson 90
Jolly	Kelley 47	Kelly 27	Kelly 36	Lawson
Liese	Linton	Lowe	Luetkemeyer	Luetkenhaus
Marsh	Mays 50	McKenna	Merideth	Moore
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Quinn	Ransdall	Reid	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shoemaker	Shoemyer	Skaggs	Smith	Surface
Thompson	Treadway	Van Zandt	Villa	Vogel
Wagner	Walton	Ward	Whorton	Williams
Willoughby	Wilson 25	Mr. Speaker		

NOES: 058

Ballard	Barnett	Barnitz	Bartle	Behnen
Black	Boatright	Bowman	Boykins	Brooks
Burcham	Cierpiot	Cooper	Crowell	Cunningham
Curls	Daus	Enz	Froelker	Gaskill
Griesheimer	Hegeman	Hendrickson	Hohulin	Hunter
Jetton	Johnson 61	Jones	King	Legan
Lograsso	Long	Marble	May 149	Mayer
Miller	Murphy	Myers	Naeger	Phillips

Portwood	Purgason	Rector	Reinhart	Richardson
Ridgeway	Roark	Robirds	Ross	Schwab
Scott	Secrest	St. Onge	Townley	Troupe
Walker	Wilson 42	Wright		

PRESENT: 001

Haywood

ABSENT WITH LEAVE: 005

Kelly 144	Koller	Monaco	Shelton	Shields
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VACANCIES: 001

Speaker Kreider declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 856, as amended**, and requests that the House recede from its position and take up and pass **SB 856**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1406**, entitled:

An act to amend chapter 174, RSMo, by adding thereto one new section relating to the board of regents of Northwest Missouri State University.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 1107**, and has taken up and passed **CCS HS HCS SS SCS SB 1107, as amended by Conference Committee Amendment No. 1**.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HB 1634, as amended**, relating to land trusts and transfers, was taken up by Representative Hoppe.

Representative Crump moved the previous question.

Which motion was adopted by the following vote:



AYES: 083

Abel	Barnitz	Barry 100	Berkowitz	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Campbell	Carnahan	Clayton	Copenhaver
Crump	Curls	Daus	Davis	Farnen
Foley	Franklin	Fraser	Gambaro	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Harding	Harlan	Haywood	Hickey
Hilgemann	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 61	Johnson 90	Jolly	Kelly 27	Kelly 36
Lawson	Liese	Lowe	Luetkenhaus	Mays 50
McKenna	Merideth	Monaco	O'Connor	O'Toole
Overschmidt	Paone	Purgason	Ransdall	Relford
Reynolds	Rizzo	Scheve	Seigfreid	Selby
Shelton	Shoemyer	Skaggs	Smith	Thompson
Treadway	Troupe	Van Zandt	Villa	Wagner
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

NOES: 076

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Berkstresser	Black	Boatright	Brooks
Burcham	Burton	Byrd	Champion	Cierpiot
Cooper	Crawford	Crowell	Cunningham	Dempsey
Dolan	Enz	Fares	Froelker	Gaskill
Griesheimer	Hanaway	Hartzler	Hegeman	Henderson
Hendrickson	Hohulin	Holand	Hunter	Jetton
Jones	Kelley 47	Kelly 144	King	Legan
Linton	Lograsso	Long	Luetkemeyer	Marble
Marsh	May 149	Mayer	Miller	Moore
Murphy	Myers	Naeger	Nordwald	Ostmann
Phillips	Quinn	Rector	Reid	Reinhart
Richardson	Ridgeway	Roark	Roberts	Ross
Schwab	Scott	Secrest	Shields	Shoemaker
St. Onge	Surface	Townley	Vogel	Walker
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 003

Baker	Koller	Portwood
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VACANCIES: 001

On motion of Representative Hoppe, **SCS HB 1634, as amended**, was adopted by the following vote:

AYES: 121

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Boatright	Bonner	Boucher
Bowman	Boykins	Britt	Burton	Byrd
Campbell	Carnahan	Champion	Clayton	Cooper

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Copenhaver	Crump	Curls	Davis	Dolan
Fares	Farnen	Foley	Franklin	Fraser
Froelker	Gambaro	George	Graham	Gratz
Green 15	Green 73	Griesheimer	Hagan-Harrell	Hampton
Hanaway	Harding	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Johnson 90	Jolly
Kelley 47	Kelly 27	Kelly 36	King	Lawson
Legan	Lograsso	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mays 50	McKenna	Merideth
Monaco	Moore	Myers	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Phillips
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Ross	Scheve	Scott	Secrest
Seigfreid	Selby	Shelton	Shoemyer	Skaggs
Smith	Surface	Thompson	Townley	Treadway
Van Zandt	Villa	Vogel	Wagner	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Wright
Mr. Speaker				

NOES: 028

Ballard	Burcham	Crawford	Crowell	Cunningham
Daus	Dempsey	Enz	Gaskill	Hendrickson
Hohulin	Hunter	Jetton	Jones	Kelly 144
Linton	May 149	Mayer	Miller	Murphy
Roark	Robirds	Schwab	Shoemaker	St. Onge
Troupe	Walker	Whorton		

PRESENT: 002

Brooks	Johnson 61
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ABSENT WITH LEAVE: 011

Bland	Bray 84	Cierpiot	Harlan	Koller
Liese	Long	Paone	Portwood	Shields
Williams				

VACANCIES: 001

On motion of Representative Hoppe, **SCS HB 1634, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 127

Abel	Baker	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crump
Curls	Davis	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambaro
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Hartzler	Hegeman	Henderson	Hickey	Hilgemann

Holand	Hollingsworth	Holt	Hoppe	Hosmer
Johnson 90	Jolly	Kelley 47	Kelly 27	Kelly 36
King	Koller	Lawson	Legan	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	Mays 50	McKenna	Merideth	Miller
Moore	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Ross	Scheve	Scott	Seigfreid	Selby
Shelton	Shields	Shoemyer	Skaggs	Smith
Surface	Thompson	Townley	Treadway	Troupe
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Williams	Willoughby	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 027

Ballard	Burcham	Crawford	Crowell	Cunningham
Daus	Dempsey	Enz	Gaskill	Hendrickson
Hohulin	Hunter	Jetton	Jones	Kelly 144
Linton	May 149	Mayer	Murphy	Myers
Roark	Robirds	Schwab	Shoemaker	St. Onge
Whorton	Wright			

PRESENT: 002

Brooks	Johnson 61
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ABSENT WITH LEAVE: 006

Harlan	Haywood	Liese	Monaco	Paone
Secrest				

VACANCIES: 001

Speaker Kreider declared the bill passed.

**SS SCS HS HB 1455, as amended**, relating to public retirement systems, was taken up by Representative O'Toole.

Representative Foley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Abel	Baker	Barnitz	Barry 100	Berkowitz
Bland	Bonner	Boucher	Bowman	Boykins
Bray 84	Britt	Brooks	Campbell	Carnahan
Clayton	Copenhaver	Crump	Curls	Daus
Davis	Farnen	Foley	Franklin	Fraser
Gambaro	George	Graham	Gratz	Green 15
Green 73	Hagan-Harrell	Hampton	Harding	Harlan
Haywood	Hickey	Hilgemann	Hollingsworth	Holt
Hoppe	Hosmer	Johnson 61	Johnson 90	Jolly

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Jones	Kelly 27	Kelly 36	Koller	Lawson
Liese	Lowe	Luetkenhaus	Mays 50	McKenna
Merideth	Monaco	O'Connor	O'Toole	Overschmidt
Paone	Ransdall	Relford	Reynolds	Rizzo
Scheve	Seigfreid	Selby	Shelton	Shoemyer
Smith	Thompson	Treadway	Van Zandt	Villa
Wagner	Walker	Walton	Ward	Whorton
Williams	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 072

Ballard	Barnett	Bartelsmeyer	Bartle	Bearden
Behnen	Black	Boatright	Burcham	Burton
Byrd	Champion	Cooper	Crawford	Crowell
Cunningham	Dempsey	Dolan	Enz	Fares
Froelker	Gaskill	Griesheimer	Hanaway	Hartzler
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hunter	Jetton	Kelley 47	Kelly 144	King
Legan	Linton	Lograsso	Long	Luetkemeyer
Marble	Marsh	May 149	Mayer	Miller
Moore	Murphy	Myers	Naeger	Nordwald
Ostmann	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Richardson	Ridgeway	Roark
Robirds	Schwab	Scott	Secrest	Shields
Shoemaker	St. Onge	Surface	Townley	Troupe
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Cierpiot	Reid	Ross	Skaggs
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VACANCIES: 001

On motion of Representative O'Toole, **SS SCS HS HB 1455, as amended**, was adopted by the following vote:

AYES: 117

Abel	Barnett	Barry 100	Bartelsmeyer	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Champion	Cooper	Copenhaver	Crump	Curls
Daus	Davis	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Gambara
George	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Hanaway	Harding	Harlan
Hartzler	Haywood	Hickey	Hilgemann	Holt
Hoppe	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Long
Lowe	Luetkemeyer	Marble	Marsh	Mayer
Mays 50	McKenna	Monaco	Moore	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Portwood	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo

Ross	Scheve	Schwab	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemyer	Skaggs
Smith	Thompson	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 040

Ballard	Barnitz	Bartle	Boatright	Burcham
Byrd	Clayton	Crawford	Crowell	Cunningham
Dempsey	Froelker	Gaskill	Griesheimer	Hegeman
Henderson	Hendrickson	Hohulin	Holand	Hollingsworth
Hosmer	Hunter	Jetton	Linton	Lograsso
May 149	Merideth	Miller	Murphy	Naeger
Phillips	Purgason	Quinn	Richardson	Roark
Robirds	St. Onge	Surface	Townley	Troupe

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker	Cierpiot	Luetkenhaus	Scott	Shoemaker
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VACANCIES: 001

On motion of Representative O'Toole, **SS SCS HS HB 1455, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 113

Abel	Barnett	Barry 100	Bartelsmeyer	Bearden
Behnen	Berkowitz	Berkstresser	Black	Bland
Bonner	Boucher	Bowman	Boykins	Bray 84
Britt	Brooks	Burton	Campbell	Carnahan
Copenhaver	Crump	Curls	Daus	Davis
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	Gaskill	George
Graham	Gratz	Green 15	Green 73	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hickey	Hilgemann	Holt	Hoppe
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	Mays 50
McKenna	Monaco	Moore	Myers	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Portwood	Ransdall	Rector	Reid	Reinhart
Reynolds	Rizzo	Ross	Scheve	Schwab
Secrest	Seigfreid	Selby	Shelton	Shields
Shoemaker	Shoemyer	Skaggs	Thompson	Treadway
Van Zandt	Villa	Vogel	Wagner	Walker
Walton	Ward	Whorton	Williams	Willoughby
Wilson 25	Wilson 42	Mr. Speaker		

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NOES: 045

Ballard	Barnitz	Bartle	Boatright	Burcham
Byrd	Champion	Clayton	Cooper	Crawford
Crowell	Cunningham	Dempsey	Froelker	Griesheimer
Hegeman	Henderson	Hendrickson	Hohulin	Holand
Hollingsworth	Hosmer	Hunter	Linton	Lograsso
May 149	Mayer	Merideth	Miller	Murphy
Naeger	Phillips	Purgason	Quinn	Relford
Richardson	Ridgeway	Roark	Robirds	Scott
Smith	St. Onge	Townley	Troupe	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Baker	Cierpiot	Jetton	Surface
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VACANCIES: 001

Speaker Kreider declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Abel	Barnett	Barry 100	Bartelsmeyer	Bearden
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Boykins	Bray 84	Britt	Burton
Campbell	Carnahan	Clayton	Cooper	Copenhaver
Crump	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Gambaro	George	Graham
Gratz	Green 15	Green 73	Hagan-Harrell	Hampton
Hanaway	Harding	Harlan	Hartzler	Haywood
Hickey	Hilgemann	Holt	Hoppe	Johnson 61
Johnson 90	Jolly	Jones	Kelly 144	Kelly 27
Kelly 36	King	Koller	Lawson	Legan
Liese	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	Mays 50	McKenna	Monaco
Moore	Murphy	Nordwald	O'Connor	O'Toole
Overschmidt	Paone	Portwood	Ransdall	Reid
Reinhart	Relford	Reynolds	Rizzo	Ross
Scheve	Scott	Secrest	Seigfreid	Selby
Shelton	Shields	Shoemaker	Shoemyer	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Williams	Willoughby	Wilson 42
Mr. Speaker				

NOES: 049

Ballard	Barnitz	Bartle	Behnen	Black
Boatright	Burcham	Byrd	Champion	Cierpiot
Crawford	Crowell	Cunningham	Froelker	Gaskill
Griesheimer	Hegeman	Henderson	Hendrickson	Hohulin
Holand	Hollingsworth	Hosmer	Hunter	Jetton

Kelley 47	Linton	Lograsso	May 149	Mayer
Merideth	Miller	Myers	Naeger	Ostmann
Phillips	Purgason	Quinn	Rector	Richardson
Ridgeway	Roark	Robirds	Schwab	St. Onge
Surface	Townley	Wilson 25	Wright	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 001

Baker

VACANCIES: 001

**SCS HB 1406**, relating to Northwest Missouri State University, was taken up by Representative Barnett.

On motion of Representative Barnett, **SCS HB 1406** was adopted by the following vote:

AYES: 152

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Behnen
Berkowitz	Berkstresser	Black	Bland	Bonner
Boucher	Bowman	Boykins	Bray 84	Britt
Burton	Byrd	Campbell	Carnahan	Champion
Cierpiot	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Dolan	Enz	Fares
Farnen	Foley	Franklin	Fraser	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 15	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Hartzler	Haywood	Hegeman
Henderson	Hickey	Hilgemann	Hohulin	Holand
Hollingsworth	Holt	Hoppe	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Koller	Lawson	Legan	Liese	Linton
Lograsso	Long	Lowe	Luetkemeyer	Luetkenhaus
Marble	Marsh	May 149	Mayer	Mays 50
McKenna	Merideth	Miller	Monaco	Murphy
Myers	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Reynolds	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

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NOES: 004

Boatright	Burcham	Hendrickson	Richardson
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PRESENT: 000

ABSENT WITH LEAVE: 006

Brooks Smith	Green 73	Moore	Naeger	Paone
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VACANCIES: 001

On motion of Representative Barnett, **SCS HB 1406** was truly agreed to and finally passed by the following vote:

AYES: 140

Abel	Baker	Ballard	Barnett	Barnitz
Barry 100	Bartelsmeyer	Bartle	Bearden	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Britt	Brooks
Burton	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Cunningham	Curls	Daus	Davis	Dempsey
Dolan	Enz	Fares	Farnen	Foley
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Graham	Gratz	Green 15	Griesheimer
Hanaway	Harding	Harlan	Hartzler	Haywood
Hegeman	Henderson	Hendrickson	Hickey	Hilgemann
Hohulin	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Hunter	Johnson 61	Johnson 90	Jolly
Jones	Kelley 47	Kelly 144	Kelly 27	Kelly 36
King	Lawson	Legan	Liese	Linton
Lograsso	Long	Luetkemeyer	Marble	Marsh
May 149	Mays 50	McKenna	Merideth	Miller
Monaco	Murphy	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Phillips	Portwood
Purgason	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Skaggs	Smith	St. Onge
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Whorton
Willoughby	Wilson 25	Wilson 42	Wright	Mr. Speaker

NOES: 002

Burcham	Richardson
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PRESENT: 000



ABSENT WITH LEAVE: 020

Behnen	Boykins	Byrd	Crump	Green 73
Hagan-Harrell	Hampton	Jetton	Koller	Lowe
Luetkenhaus	Mayer	Moore	Myers	Paone
Shoemyer	Surface	Thompson	Ward	Williams

VACANCIES: 001

Speaker Kreider declared the bill passed.

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 1107**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, with House Amendment Nos. 1, 2, 3, 4, 7, 8, 9, 10 and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, as amended;
2. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, be Third Read and Finally Passed, as amended by Conference Committee Amendment No. 1.

FOR THE SENATE:

/s/ Doyle Childers  
 /s/ Ed Quick  
 /s/ Michael Gibbons  
 /s/ Chuck Gross  
 /s/ Steve Stoll

FOR THE HOUSE:

/s/ Thomas Hoppe  
 /s/ Patrick O'Connor  
 /s/ Bruce Holt  
 /s/ Jon Dolan  
 /s/John Griesheimer

*Conference Committee Amendment No. 1*

AMEND Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1107, Page 7, Line 15, by inserting a "1" after the "99.847" on said page; and

Further amend Page 7, Line 28, by inserting after said line:

**"2. Notwithstanding the provisions of sections 99.800 to 99.865, RSMo, to the contrary, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government with greater than two hundred fifty thousand inhabitants but fewer than three hundred thousand inhabitants.**

**3. This subsection shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow the aforementioned tax increment financing projects to modify, amend or expand such projects including redevelopment project costs by not more than forty percent of such project original projected cost including redevelopment project costs as such projects including redevelopment project costs as such projects redevelopment projects including redevelopment project costs existed as of June 30, 2003, and shall allow the aforementioned tax increment financing district to modify, amend or expand such districts by not more than five percent as such districts existed as of June 30, 2003."**

**BILL IN CONFERENCE**

**CCR HS HCS SS SCS SB 1107, as amended**, relating to emergency services, was taken up by Representative Hoppe.

Representative Hoppe moved that Rule 60 (c) be suspended.

Which motion was adopted by the following:

AYES: 091

Abel	Baker	Barnett	Barnitz	Barry 100
Berkowitz	Berkstresser	Bland	Bonner	Boucher
Bowman	Bray 84	Britt	Byrd	Campbell
Carnahan	Clayton	Copenhaver	Crump	Cunningham
Curls	Davis	Dolan	Fares	Farnen
Foley	Franklin	Fraser	Gambaro	Gaskill
George	Graham	Green 15	Hagan-Harrell	Harding
Hartzler	Haywood	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Jolly	Jones	Kelley 47
Kelly 27	Kelly 36	Koller	Legan	Liese
Long	Lowe	Luetkemeyer	Marsh	Mays 50
McKenna	Merideth	Monaco	Myers	Naeger

O'Connor	O'Toole	Ostmann	Overschmidt	Paone
Ransdall	Reid	Reynolds	Scott	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Thompson	Treadway	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 062

Ballard	Bartelsmeyer	Bartle	Bearden	Behnen
Black	Boatright	Brooks	Burcham	Burton
Champion	Cierpiot	Cooper	Crawford	Crowell
Daus	Dempsey	Enz	Froelker	Griesheimer
Hampton	Hanaway	Hegeman	Henderson	Hendrickson
Hohulin	Holand	Hunter	Jetton	Johnson 61
Johnson 90	Kelly 144	King	Linton	Lograsso
Marble	May 149	Mayer	Miller	Murphy
Nordwald	Phillips	Portwood	Purgason	Quinn
Rector	Reinhart	Richardson	Ridgeway	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Secrest	Smith	St. Onge	Surface	Townley
Troupe	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Boykins	Gratz	Green 73	Harlan	Holt
Lawson	Luetkenhaus	Moore	Relford	

VACANCIES: 001

On motion of Representative Hoppe, **CCR HS HCS SS SCS SB 1107, as amended**, was adopted by the following vote:

AYES: 092

Abel	Barnett	Bartle	Bearden	Berkowitz
Berkstresser	Bland	Bonner	Bowman	Britt
Brooks	Burcham	Burton	Byrd	Campbell
Carnahan	Cierpiot	Clayton	Crawford	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Fraser	Gambaro
Gaskill	Graham	Green 15	Griesheimer	Hagan-Harrell
Hanaway	Harding	Hartzler	Haywood	Hegeman
Hickey	Hilgemann	Holand	Hollingsworth	Holt
Hoppe	Jolly	Jones	Kelly 27	Kelly 36
Koller	Lawson	Lograsso	Long	Luetkemeyer
Luetkenhaus	Marsh	May 149	McKenna	Monaco
Moore	Myers	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Ransdall
Rector	Reid	Ridgeway	Ross	Secrest
Seigfreid	Selby	Shelton	Shields	Skaggs
Thompson	Treadway	Villa	Vogel	Wagner
Walker	Ward	Whorton	Williams	Willoughby
Wilson 42	Mr. Speaker			

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NOES: 039

Barnitz	Bartelsmeyer	Behnen	Black	Boatright
Boucher	Cooper	Copenhaver	Crowell	Daus
Froelker	Hampton	Harlan	Henderson	Hohulin
Hunter	Jetton	Johnson 90	Kelly 144	King
Legan	Linton	Mayer	Miller	Murphy
Nordwald	Purgason	Quinn	Rizzo	Roark
Robirds	Scheve	Scott	Shoemaker	Smith
St. Onge	Surface	Townley	Walton	

PRESENT: 000

ABSENT WITH LEAVE: 031

Baker	Ballard	Barry 100	Boykins	Bray 84
Champion	Foley	Franklin	George	Gratz
Green 73	Hendrickson	Hosmer	Johnson 61	Kelley 47
Liese	Lowe	Marble	Mays 50	Merideth
Phillips	Reinhart	Relford	Reynolds	Richardson
Schwab	Shoemyer	Troupe	Van Zandt	Wilson 25
Wright				

VACANCIES: 001

On motion of Representative Hoppe, **CCS HS HCS SS SCS SB 1107, as amended by Conference Committee Amendment No. 1**, was truly agreed to and finally passed by the following vote:

AYES: 110

Abel	Ballard	Barnett	Barry 100	Bartle
Bearden	Berkowitz	Berkstresser	Bland	Bonner
Bray 84	Britt	Brooks	Burton	Byrd
Campbell	Carnahan	Champion	Cierpiot	Clayton
Copenhaver	Crawford	Crump	Cunningham	Curls
Davis	Dolan	Enz	Fares	Farnen
Foley	Franklin	Fraser	Froelker	Gambara
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Holand	Hollingsworth	Holt	Hoppe
Hosmer	Jolly	Jones	Kelley 47	Kelly 27
Kelly 36	King	Koller	Liese	Lograsso
Long	Lowe	Luetkemeyer	Luetkenhaus	Marble
Marsh	May 149	Mays 50	McKenna	Monaco
Moore	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Paone	Portwood	Ransdall
Rector	Reinhart	Reynolds	Richardson	Ridgeway
Scott	Secrest	Selby	Shelton	Shields
Shoemaker	Skaggs	Thompson	Treadway	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Willoughby	Wilson 25	Wilson 42	Mr. Speaker

NOES: 040

Barnitz	Bartelsmeyer	Behnen	Black	Boatright
Boucher	Bowman	Burcham	Cooper	Crowell
Daus	Dempsey	Hampton	Harlan	Hohulin
Hunter	Jetton	Johnson 90	Kelly 144	Legan
Linton	Mayer	Miller	Phillips	Purgason
Quinn	Relford	Rizzo	Roark	Robirds
Scheve	Schwab	Shoemyer	Smith	St. Onge
Surface	Townley	Troupe	Williams	Wright

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 011

Baker	Boykins	Gaskill	Lawson	Merideth
Murphy	Myers	Reid	Ross	Seigfreid
Whorton				

VACANCIES: 001

Speaker Kreider declared the bill passed.

### BILL CARRYING REQUEST MESSAGE

**HS HCS SB 856, as amended**, relating to property development, was taken up by Representative Kelly (144).

Representative Kelly (144) moved that the House recede from its position on **HS HCS SB 856, as amended**, and take up and pass **SB 856**.

Which motion was adopted by the following vote:

AYES: 120

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Bland	Bonner	Boucher	Bowman
Britt	Burton	Byrd	Campbell	Carnahan
Champion	Cierpiot	Cooper	Copenhaver	Crawford
Crowell	Curis	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Froelker
Gambaro	Graham	Gratz	Green 15	Green 73
Hagan-Harrell	Hampton	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Hoppe	Hunter
Jetton	Johnson 90	Jones	Kelley 47	Kelly 144
Kelly 36	Legan	Linton	Lograsso	Long
Luetkemeyer	Luetkenhaus	Marsh	May 149	Mayer
Mays 50	Miller	Moore	Murphy	Myers
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Paone	Phillips	Portwood	Purgason
Quinn	Ransdall	Rector	Reid	Reinhart

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Reynolds	Richardson	Ridgeway	Rizzo	Roark
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Villa	Vogel	Walker	Ward
Whorton	Willoughby	Wilson 25	Wright	Mr. Speaker

NOES: 018

Barnitz	Boatright	Bray 84	Burcham	Clayton
Daus	Franklin	Gaskill	Griesheimer	Hollingsworth
Hosmer	Koller	McKenna	Merideth	Robirds
Van Zandt	Wagner	Walton		

PRESENT: 002

Brooks	Johnson 61
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ABSENT WITH LEAVE: 022

Black	Boykins	Crump	Cunningham	Fraser
George	Harlan	Holt	Jolly	Kelly 27
King	Lawson	Liese	Lowe	Marble
Monaco	Relford	Shoemyer	Smith	Troupe
Williams	Wilson 42			

VACANCIES: 001

On motion of Representative Kelly (144), **SB 856** was truly agreed to and finally passed by the following vote:

AYES: 123

Abel	Baker	Ballard	Barnett	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Bonner	Bowman
Burton	Campbell	Carnahan	Champion	Cierpiot
Cooper	Copenhaver	Crawford	Crowell	Crump
Cunningham	Curls	Davis	Dempsey	Dolan
Enz	Fares	Farnen	Foley	Froelker
Gambaro	Gaskill	George	Graham	Gratz
Green 73	Griesheimer	Hanaway	Harding	Hartzler
Haywood	Hegeman	Henderson	Hendrickson	Hickey
Hilgemann	Hohulin	Holand	Holt	Hoppe
Hunter	Jetton	Johnson 90	Jolly	Jones
Kelley 47	Kelly 144	Kelly 27	Kelly 36	King
Legan	Liese	Linton	Lograsso	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Miller	Moore	Murphy
Myers	Naeger	Nordwald	O'Connor	Ostmann
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Reynolds
Ridgeway	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	Smith	St. Onge	Surface	Townley
Treadway	Villa	Vogel	Ward	Willoughby
Wilson 25	Wright	Mr. Speaker		

NOES: 019

Barnitz	Boatright	Boucher	Britt	Burcham
Clayton	Daus	Franklin	Harlan	Koller
McKenna	Merideth	O'Toole	Relford	Van Zandt
Wagner	Walker	Walton	Williams	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 019

Boykins	Bray 84	Byrd	Fraser	Green 15
Hagan-Harrell	Hampton	Hollingsworth	Hosmer	Johnson 61
Lawson	Mays 50	Monaco	Paone	Richardson
Thompson	Troupe	Whorton	Wilson 42	

VACANCIES: 001

Speaker Kreider declared the bill passed.

Prayer by Father David Buescher.

Father of Goodness, God of Justice, these representatives began this session's final day recalling Your presence. Much has been accomplished, much remains to be decided. Let no one here despair. For those who rue the passage of certain bills, there is the future which can change things again and re-coup losses. For those who see major gaps to fill, there is a future.

Thank You for the strength to do what has been done here in this room for the last several months. Help us now, after all the hustle and bustle of this last day, to recommit ourselves again to the wonderful, messy, democratic process. It alone seems to bring the most good for the most people in the long run.

And, God, may we sense in our soul of souls and our heart of hearts, Your guiding, caring, watchful, gentle love. Give these men and women the time now to rest with families and friends, to refresh and re-create themselves within their homes and communities for whatever their futures may bring. Thank You for their dedication, their work, their lives. Amen.

## REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

**HR 3** - Rules, Joint Rules and Bills Perfected and Printed

**HR 4** - Rules, Joint Rules and Bills Perfected and Printed

**HR 244** - Public Safety, Law Enforcement and Veteran Affairs

**HR 1586** - Social Services, Medicaid and the Elderly

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 8** - Agriculture
- HCR 17** - Labor
- HCR 19** - Education-Elementary and Secondary
- HCR 22** - Education-Elementary and Secondary
- HCR 26** - Children, Families and Health
- HCR 27** - Social Services, Medicaid and the Elderly
- HCR 29** - Miscellaneous Bills & Resolutions
- HCR 41** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 26** - Children, Families and Health
- HJR 30** - Critical Issues, Consumer Protection and Housing
- HJR 36** - Education - Elementary and Secondary
- HJR 37** - Transportation
- HJR 41** - Miscellaneous Bills & Resolutions
- HJR 46** - Ways and Means
- HJR 53** - Miscellaneous Bills & Resolutions
- HJR 54** - Miscellaneous Bills & Resolutions
- HJR 55** - Education - Elementary and Secondary
- HJR 57** - Transportation
- HJR 59** - Miscellaneous Bills & Resolutions

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 1028** - Critical Issues, Consumer Protection and Housing
- HB 1031** - Education - Elementary and Secondary
- HB 1035** - Motor Vehicle and Traffic Regulations
- HB 1039** - Ways and Means
- HB 1040** - Miscellaneous Bills & Resolutions
- HB 1042** - Miscellaneous Bills & Resolutions
- HB 1056** - Civil and Administrative Law
- HB 1067** - Labor
- HB 1071** - Education - Higher
- HB 1079** - Social Services, Medicaid and the Elderly
- HB 1080** - Education - Elementary and Secondary
- HB 1081** - Education - Elementary and Secondary



**HB 1088** - Criminal Law  
**HB 1128** - Children, Families and Health  
**HB 1138** - Utilities Regulation  
**HB 1140** - Criminal Law  
**HB 1146** - Ways and Means  
**HB 1162** - Criminal Law  
**HB 1163** - Civil and Administrative Law  
**HB 1164** - Ways and Means  
**HB 1165** - Criminal Law  
**HB 1166** - Motor Vehicle and Traffic Regulations  
**HB 1167** - Elections  
**HB 1168** - Civil and Administrative Law  
**HB 1170** - Children, Families and Health  
**HB 1177** - Ways and Means  
**HB 1181** - Miscellaneous Bills & Resolutions  
**HB 1182** - Miscellaneous Bills & Resolutions  
**HB 1183** - Criminal Law  
**HB 1189** - Agriculture  
**HB 1190** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1193** - Elections  
**HB 1212** - Education - Elementary and Secondary  
**HB 1220** - Ways and Means  
**HB 1221** - Education - Elementary and Secondary  
**HB 1222** - Education - Elementary and Secondary  
**HB 1224** - Education - Elementary and Secondary  
**HB 1228** - Banks and Financial Institutions  
**HB 1236** - Miscellaneous Bills & Resolutions  
**HB 1252** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1253** - Ways and Means  
**HB 1260** - Children, Families and Health  
**HB 1268** - Ways and Means  
**HB 1278** - Ways and Means  
**HB 1281** - Education - Elementary and Secondary  
**HB 1283** - Judiciary  
**HB 1284** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1285** - Correctional and State Institutions  
**HB 1291** - Correctional and State Institutions  
**HB 1296** - Social Services, Medicaid and the Elderly  
**HB 1300** - Criminal Law  
**HB 1330** - Miscellaneous Bills & Resolutions  
**HB 1333** - Ways and Means  
**HB 1339** - Fiscal Review and Government Reform  
**HB 1340** - Education - Elementary and Secondary  
**HB 1346** - Children, Families and Health  
**HB 1359** - Ways and Means

- HB 1364** - Miscellaneous Bills & Resolutions
- HB 1365** - Education - Elementary and Secondary
- HB 1366** - Education - Elementary and Secondary
- HB 1367** - Education - Elementary and Secondary
- HB 1379** - Ways and Means
- HB 1382** - Ways and Means
- HB 1383** - Children, Families and Health
- HB 1390** - Miscellaneous Bills & Resolutions
- HB 1415** - Ways and Means
- HB 1417** - Motor Vehicle and Traffic Regulations
- HB 1419** - Education - Elementary and Secondary
- HB 1420** - Children, Families and Health
- HB 1437** - Sportsmanship, Safety and Firearms
- HB 1449** - Children, Families and Health
- HB 1458** - Critical Issues, Consumer Protection and Housing
- HB 1463** - Motor Vehicle and Traffic Regulations
- HB 1474** - Miscellaneous Bills & Resolutions
- HB 1480** - Education - Elementary and Secondary
- HB 1486** - Local Government and Related Matters
- HB 1497** - Ways and Means
- HB 1520** - Miscellaneous Bills & Resolutions
- HB 1521** - Miscellaneous Bills & Resolutions
- HB 1526** - Criminal Law
- HB 1540** - Banks and Financial Institutions
- HB 1551** - Education - Elementary and Secondary
- HB 1561** - Critical Issues, Consumer Protection and Housing
- HB 1573** - Utilities Regulation
- HB 1574** - Education - Elementary and Secondary
- HB 1586** - Social Services, Medicaid and the Elderly
- HB 1591** - Education - Elementary and Secondary
- HB 1601** - Ways and Means
- HB 1604** - Ways and Means
- HB 1605** - Miscellaneous Bills & Resolutions
- HB 1606** - Critical Issues, Consumer Protection and Housing
- HB 1611** - Civil and Administrative Law
- HB 1626** - Education - Elementary and Secondary
- HB 1628** - Education - Elementary and Secondary
- HB 1637** - Ways and Means
- HB 1638** - Education - Elementary and Secondary
- HB 1639** - Ways and Means
- HB 1640** - Ways and Means
- HB 1647** - Critical Issues, Consumer Protection and Housing
- HB 1651** - Education - Elementary and Secondary
- HB 1653** - Miscellaneous Bills & Resolutions
- HB 1658** - Civil and Administrative Law

**HB 1661** - Ways and Means  
**HB 1666** - Education - Elementary and Secondary  
**HB 1670** - Elections  
**HB 1678** - Utilities Regulation  
**HB 1681** - Children, Families and Health  
**HB 1683** - Motor Vehicle and Traffic Regulations  
**HB 1713** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1738** - Critical Issues, Consumer Protection and Housing  
**HB 1764** - Miscellaneous Bills & Resolutions  
**HB 1767** - Miscellaneous Bills & Resolutions  
**HB 1770** - Children, Families and Health  
**HB 1775** - Transportation  
**HB 1785** - Ways and Means  
**HB 1790** - Critical Issues, Consumer Protection and Housing  
**HB 1799** - Miscellaneous Bills & Resolutions  
**HB 1801** - Miscellaneous Bills & Resolutions  
**HB 1824** - Civil and Administrative Law  
**HB 1826** - Civil and Administrative Law  
**HB 1827** - Miscellaneous Bills & Resolutions  
**HB 1829** - Judiciary  
**HB 1830** - Judiciary  
**HB 1831** - Miscellaneous Bills & Resolutions  
**HB 1832** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 1847** - Critical Issues, Consumer Protection and Housing  
**HB 1859** - Ways and Means  
**HB 1860** - Elections  
**HB 1864** - Motor Vehicle and Traffic Regulations  
**HB 1866** - Ways and Means  
**HB 1874** - Miscellaneous Bills & Resolutions  
**HB 1878** - Civil and Administrative Law  
**HB 1885** - Civil and Administrative Law  
**HB 1910** - Civil and Administrative Law  
**HB 1911** - Miscellaneous Bills & Resolutions  
**HB 1942** - Social Services, Medicaid and the Elderly  
**HB 1960** - Ways and Means  
**HB 1978** - Education - Elementary and Secondary  
**HB 1980** - Education - Elementary and Secondary  
**HB 1981** - Elections  
**HB 1990** - Civil and Administrative Law  
**HB 1995** - Ways and Means  
**HB 1996** - Miscellaneous Bills & Resolutions  
**HB 1997** - Local Government and Related Matters  
**HB 1998** - Miscellaneous Bills & Resolutions  
**HB 2012** - Education - Elementary and Secondary  
**HB 2043** - Commerce and Economic Development

**HB 2050** - Public Safety, Law Enforcement and Veteran Affairs  
**HB 2067** - Miscellaneous Bills & Resolutions  
**HB 2072** - Transportation  
**HB 2075** - Education - Elementary and Secondary  
**HB 2089** - Social Services, Medicaid and the Elderly  
**HB 2090** - Professional Registration and Licensing  
**HB 2091** - Fiscal Review and Government Reform  
**HB 2092** - Education - Elementary and Secondary  
**HB 2093** - Miscellaneous Bills & Resolutions  
**HB 2094** - Miscellaneous Bills & Resolutions  
**HB 2095** - Utilities Regulation  
**HB 2096** - Social Services, Medicaid and the Elderly  
**HB 2099** - Ways and Means  
**HB 2100** - Ways and Means  
**HB 2101** - Motor Vehicle and Traffic Regulations  
**HB 2103** - Miscellaneous Bills & Resolutions  
**HB 2105** - Motor Vehicle and Traffic Regulations  
**HB 2107** - Ways and Means  
**HB 2108** - Elections  
**HB 2109** - Social Services, Medicaid and the Elderly  
**HB 2110** - Sportsmanship, Safety and Firearms  
**HB 2112** - Miscellaneous Bills & Resolutions  
**HB 2116** - Education - Elementary and Secondary  
**HB 2119** - Transportation  
**HB 2124** - Ways and Means  
**HB 2125** - Ways and Means  
**HB 2126** - Transportation  
**HB 2128** - Motor Vehicle and Traffic Regulations  
**HB 2129** - Judiciary  
**HB 2131** - Transportation  
**HB 2132** - Criminal Law  
**HB 2134** - Ways and Means  
**HB 2136** - Education-Elementary and Secondary  
**HB 2138** - Transportation  
**HB 2139** - Motor Vehicle and Traffic Regulations  
**HB 2140** - Local Government and Related Matters  
**HB 2141** - Education-Elementary and Secondary  
**HB 2143** - Local Government and Related Matters  
**HB 2146** - Civil and Administrative Law  
**HB 2147** - Criminal Law  
**HB 2148** - Professional Registration and Licensing  
**HB 2149** - Criminal Law  
**HB 2150** - Critical Issues, Consumer Protection and Housing  
**HB 2152** - Education-Elementary and Secondary  
**HB 2153** - Education-Elementary and Secondary

**HB 2154** - Critical Issues, Consumer Protection and Housing  
**HB 2157** - Motor Vehicle and Traffic Regulations  
**HB 2158** - Education-Elementary and Secondary  
**HB 2159** - Children, Families and Health  
**HB 2162** - Children, Families and Health  
**HB 2164** - Education-Higher  
**HB 2165** - Transportation  
**HB 2167** - Social Services, Medicaid and the Elderly  
**HB 2168** - Utilities Regulation  
**HB 2169** - Ways and Means  
**HB 2170** - Social Services, Medicaid and the Elderly  
**HB 2171** - Transportation  
**HB 2172** - Miscellaneous Bills & Resolutions  
**HB 2174** - Utilities Regulation  
**HB 2175** - Transportation  
**HB 2176** - Utilities Regulation  
**HB 2177** - Critical Issues, Consumer Protection and Housing  
**HB 2178** - Education-Elementary and Secondary  
**HB 2179** - Criminal Law  
**HB 2180** - Ways and Means  
**HB 2182** - Education-Elementary and Secondary  
**HB 2183** - Commerce and Economic Development  
**HB 2184** - Local Government and Related Matters  
**HB 2186** - Children, Families and Health  
**HB 2187** - Commerce and Economic Development  
**HB 2188** - Ways and Means  
**HB 2189** - Ways and Means  
**HB 2190** - Education-Higher  
**HB 2191** - Civil and Administrative Law  
**HB 2192** - Ways and Means  
**HB 2194** - Correctional and State Institutions  
**HB 2195** - Labor  
**HB 2196** - Children, Families and Health  
**HB 2197** - Criminal Law  
**HB 2198** - Transportation  
**HB 2199** - Children, Families and Health  
**HB 2200** - Labor  
**HB 2201** - Motor Vehicle and Traffic Regulations  
**HB 2203** - Judiciary  
**HB 2206** - Judiciary  
**HB 2207** - Education-Elementary and Secondary  
**HB 2208** - Education-Higher  
**HB 2209** - Labor  
**HB 2210** - Miscellaneous Bills & Resolutions  
**HB 2211** - Transportation

**HB 2212** - Sportsmanship, Safety and Firearms  
**HB 2213** - Transportation  
**HB 2214** - Labor  
**HB 2215** - Criminal Law  
**HB 2216** - Ways and Means  
**HB 2217** - Miscellaneous Bills & Resolutions  
**HB 2218** - Judiciary  
**HB 2219** - Criminal Law  
**HB 2220** - Motor Vehicle and Traffic Regulations  
**HB 2221** - Social Services, Medicaid and the Elderly  
**HB 2222** - Correctional and State Institutions  
**HB 2223** - Fiscal Review and Government Reform  
**HB 2224** - Ways and Means  
**HB 2225** - Miscellaneous Bills & Resolutions  
**HB 2226** - Miscellaneous Bills & Resolutions  
**HB 2227** - Criminal Law  
**HB 2228** - Transportation  
**HB 2229** - Education-Elementary and Secondary  
**HB 2230** - Commerce and Economic Development  
**HB 2231** - Fiscal Review and Government Reform

#### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolutions were referred to the Committee indicated:

**SCS SCR 43** - Critical Issues, Consumer Protection and Housing  
**SS SCS SCR 60** - Miscellaneous Bills & Resolutions  
**SCR 66** - Miscellaneous Bills & Resolutions

#### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SCS SB 954** - Labor  
**SB 1104** - Ways and Means  
**SB 1140** - Children, Families and Health  
**SB 1232** - Transportation  
**SRB 1236** - Judiciary

#### **REFERRAL OF GOVERNOR'S REORGANIZATION PLAN**

The following Reorganization Plan was referred to the Committee indicated:

**GRP 1** - Transportation

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS#2 SCS HB 1348, as amended**, and has taken up and passed **CCS SS#2 SCS HB 1348**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HB 1748, as amended**, and has taken up and passed **CCS SS HB 1748**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HS HCS HB 1756**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1953, as amended**, and has taken up and passed **CCS SCS HB 1953**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SS#2 SB 1191, as amended**, and has taken up and passed **HS SS#2 SB 1191**.

Emergency clause adopted.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1712**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1712, with Senate Amendment No. 1, Senate Amendment No. 2, and Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1712, as amended;
2. That the House recede from its position on House Bill No. 1712;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1712, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. David Klarich  
/s/ Sen. Michael Gibbons  
/s/ Sen. Bill Kenney  
/s/ Sen. Harold Caskey  
/s/ Sen. John Schneider

FOR THE HOUSE:

/s/ Rep. Ralph Monaco  
/s/ Rep. Rick Johnson  
/s/ Rep. Philip Willoughby  
/s/ Rep. Mark Richardson  
/s/ Rep. Jason Crowell

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NOS. 970, 968, 921, 867, 868 & 738**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, with House Amendment Nos. 1, 2, 3, 5, 7, 8, 9, 10, House Substitute Amendment No. 1 for House Amendment Nos. 11, 12, 13, 15, 16, 17, 18, 19, House Substitute Amendment No. 1 for House Amendment Nos. 20, 21, 22, 24, 25, 26, House Substitute Amendment No. 1 for House Amendment Nos. 27 and 28, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 970, 968, 921, 867, 868 & 738, be Third Read and Finally Passed.



FOR THE SENATE:

/s/ Sen. Morris Westfall  
/s/ Sen. John Russell  
/s/ Sen. Danny Staples  
/s/ Sen. Wayne Goode

FOR THE HOUSE:

/s/ Rep. Don Koller  
/s/ Rep. Timothy Green  
/s/ Rep. Sam Berkowitz  
/s/ Rep. Cindy Ostmann  
/s/ Rep. Larry Crawford

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 680**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, with House Amendment No. 1, Part 2 of House Amendment No. 2, House Amendment Nos. 3, 4 and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Amendment No. 5 to House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680;
2. That the Senate recede from its position on House Amendment No. 1, Part 2 of House Amendment No. 2, and House Amendment Nos. 3 and 4 to House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680;
3. That House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 680, with House Amendment No. 1, Part 2 of House Amendment No. 2, and House Amendment Nos. 3 and 4, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mary Bland  
/s/ Patrick Dougherty  
/s/ Sarah Steelman  
/s/ David Klindt

FOR THE HOUSE:

/s/ Joan Barry  
/s/ Marsha Campbell  
/s/ Glenda Kelly  
/s/ Roy Holand

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NOS. 670 & 684**

The Conference Committee appointed on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684;
3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 670 & 684 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Betty Sims  
/s/ Marvin Singleton  
/s/ Stephen Stoll

FOR THE HOUSE:

/s/ Tim Harlan  
/s/ Lana Ladd Baker  
/s/ Craig Hosmer

**ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 1:00 p.m., Tuesday, May 28, 2002.

**CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Seventy-third Day, Thursday, May 16, 2002, page 2269, lines 43 and 44, by deleting said lines and inserting in lieu thereof the following:

On motion of Representative Barnett, **SS SCS HB 1196, as amended**, was truly agreed to and finally passed by the following vote:

# JOURNAL OF THE HOUSE

Second Regular Session, 91st GENERAL ASSEMBLY

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SEVENTY-FIFTH DAY, TUESDAY, MAY 28, 2002

The House met pursuant to adjournment.

Speaker Kreider in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lacey Kreider, Neeley Kreider, Stefan Krause and Andreas Keilholz.

## COMMITTEE REPORT

**Committee on Rules, Joint Rules and Bills Perfected and Printed**, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SS SCS HCS HJR 47, HB 1032, SS SCS HB 1041, HB 1075, SCS HB 1078, HB 1086, SCS HBs 1093, 1094, 1159, 1204, 1242, 1272, 1391, 1397, 1411, 1624, 1632, 1714, 1755, 1778, 1779, 1852, 1862, 2025 & 2123, CCS SCS HCS HB 1101, CCS SCS HCS HB 1102, CCS SCS HCS HB 1103, CCS SCS HCS HB 1104, CCS SCS HCS HB 1105, CCS SCS HCS HB 1106, CCS SCS HCS HB 1107, CCS SCS HCS HB 1108, CCS SCS HCS HB 1109, CCS SCS HCS HB 1110, CCS SCS HCS HB 1111, CCS SCS HCS HB 1112, HCS HB 1120, SCS HB 1121, SCS HBs 1141, 1400, 1645, 1745 & 2026, HB 1148, SS SCS HCS HBs 1150, 1237 & 1327, HB 1151, SS SCS HB 1196, SCS HBs 1205, 1214, 1314, 1320, 1504, 1788, 1867 & 1969, SCS HB 1265, CCS#2 SS SCS HB 1270 and HB 2032, HB 1342, CCS SS#2 SCS HB 1348, HB 1375, SCS HB 1381, HCS HB 1398, HS HB 1399, CCS SCS HB 1402, SS SCS HCS HB 1403, SCS HB 1406, SS SCS HCS HB 1443, SS SCS HS HB 1455, SCS HB 1468, SCS HB 1473, SCS HB 1477, SCS HB 1492, SCS HB 1495, SS SCS HS HCS HBs 1502 & 1821, SCS HB 1508, HB 1515, HB 1518, HB 1519, SCS HS HCS HB 1532, SCS HB 1537, SCS HB 1548, SCS HB 1568, HB 1580, SS#2 HB 1600, SCS HB 1634, SCS HB 1635, SCS HB 1636, HB 1659, HB 1668, HB 1674, CCS HCS HB 1711, HB 1715, CCS SS HB 1748, HS HCS HB 1756, HB 1768, SCS HB 1773, SCS HB 1776, HB 1781, SCS HB 1783, SCS HB 1789, SCS HB 1811, HB 1812, HB 1814, HB 1822, HB 1838, HB 1839, HB 1840, SCS HB 1846, SCS HB 1849, HB 1861, SS SCS HCS HB 1888, SCS HB 1890, HB 1895, SCS HB 1921, HB 1926, HB 1937, CCS SCS HB 1953, SCS HB 1964, HB 1973, HB 1982, HB 1988, HB 2001, HB 2002, SS SCS HB 2008, SCS HB 2009, HB 2018, SCS HB 2022, HB 2039, SCS HB 2047, HB 2062, HB 2064, HB 2078, SCS HB 2080, HB 2117,**

**CCS SCS HB 2120, HB 2130 and SCS HB 2137**, begs leave to report it has examined the foregoing bills and finds the same to be truly and correctly printed as agreed to and finally passed.

### **SIGNING OF HOUSE JOINT RESOLUTION**

All other business of the House was suspended while **SS SCS HCS HJR 47** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS SCS HCS HJR 47** was delivered to the Secretary of State by the Chief Clerk of the House.

### **SIGNING OF HOUSE BILLS**

All other business of the House was suspended while **HCR 16, HCR 24, HCR 25, SS SCS HB 1196, HB 1032, SS SCS HB 1041, HB 1075, SCS HB 1078, HB 1086, SCS HBs 1093, 1094, 1159, 1204, 1242, 1272, 1391, 1397, 1411, 1624, 1632, 1714, 1755, 1778, 1779, 1852, 1862, 2025 & 2123, CCS SCS HCS HB 1101, CCS SCS HCS HB 1102, CCS SCS HCS HB 1103, CCS SCS HCS HB 1104, CCS SCS HCS HB 1105, CCS SCS HCS HB 1106, CCS SCS HCS HB 1107, CCS SCS HCS HB 1108, CCS SCS HCS HB 1109, CCS SCS HCS HB 1110, CCS SCS HCS HB 1111, CCS SCS HCS HB 1112, HCS HB 1120, SCS HB 1121, SCS HBs 1141, 1400, 1645, 1745 & 2026, HB 1148, SS SCS HCS HBs 1150, 1237 & 1327, HB 1151, SCS HBs 1205, 1214, 1314, 1320, 1504, 1788, 1867 & 1969, SCS HB 1265, CCS#2 SS SCS HB 1270 and HB 2032, HB 1342, CCS SS#2 SCS HB 1348, HB 1375, SCS HB 1381, HCS HB 1398, HS HB 1399, CCS SCS HB 1402, SS SCS HCS HB 1403, SCS HB 1406, SS SCS HCS HB 1443, SS SCS HS HB 1455, SCS HB 1468, SCS HB 1473, SCS HB 1477, SCS HB 1492, SCS HB 1495, SS SCS HS HCS HBs 1502 & 1821, SCS HB 1508, HB 1515, HB 1518, HB 1519, SCS HS HCS HB 1532, SCS HB 1537, SCS HB 1548, SCS HB 1568, HB 1580, SS#2 HB 1600, SCS HB 1634, SCS HB 1635, SCS HB 1636, HB 1659, HB 1668, HB 1674, CCS HCS HB 1711, HB 1715, CCS SS HB 1748, HS HCS HB 1756, HB 1768, SCS HB 1773, SCS HB 1776, HB 1781, SCS HB 1783, SCS HB 1789, SCS HB 1811, HB 1812, HB 1814, HB 1822, HB 1838, HB 1839, HB 1840, SCS HB 1846, SCS HB 1849, HB 1861, SS SCS HCS HB 1888, SCS HB 1890, HB 1895, SCS HB 1921, HB 1926, HB 1937, CCS SCS HB 1953, SCS HB 1964, HB 1973, HB 1982, HB 1988, HB 2001, HB 2002, SS SCS HB 2008, SCS HB 2009, HB 2018, SCS HB 2022, HB 2039, SCS HB 2047, HB 2062, HB 2064, HB 2078, SCS HB 2080, HB 2117, CCS SCS HB 2120, HB 2130 and SCS HB 2137** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCR 16, HCR 24, HCR 25, SS SCS HB 1196, HB 1032, SS SCS HB 1041, HB 1075, SCS HB 1078, HB 1086, SCS HBs 1093, 1094, 1159, 1204, 1242, 1272, 1391, 1397, 1411, 1624, 1632, 1714, 1755, 1778, 1779, 1852, 1862, 2025 & 2123, CCS SCS HCS HB 1101, CCS SCS HCS HB 1102, CCS SCS HCS HB 1103, CCS SCS HCS HB 1104, CCS SCS HCS HB 1105, CCS SCS HCS HB 1106, CCS SCS HCS HB 1107, CCS SCS HCS HB 1108, CCS SCS HCS HB 1109, CCS SCS HCS HB 1110, CCS SCS HCS HB 1111, CCS SCS HCS HB 1112, HCS HB 1120, SCS HB 1121, SCS HBs 1141, 1400, 1645, 1745 & 2026, HB 1148, SS SCS HCS HBs 1150, 1237 & 1327, HB 1151, SCS HBs 1205, 1214,**

1314, 1320, 1504, 1788, 1867 & 1969, SCS HB 1265, CCS#2 SS SCS HB 1270 and HB 2032, HB 1342, CCS SS#2 SCS HB 1348, HB 1375, SCS HB 1381, HCS HB 1398, HS HB 1399, CCS SCS HB 1402, SS SCS HCS HB 1403, SCS HB 1406, SS SCS HCS HB 1443, SS SCS HS HB 1455, SCS HB 1468, SCS HB 1473, SCS HB 1477, SCS HB 1492, SCS HB 1495, SS SCS HS HCS HBs 1502 & 1821, SCS HB 1508, HB 1515, HB 1518, HB 1519, SCS HS HCS HB 1532, SCS HB 1537, SCS HB 1548, SCS HB 1568, HB 1580, SS#2 HB 1600, SCS HB 1634, SCS HB 1635, SCS HB 1636, HB 1659, HB 1668, HB 1674, CCS HCS HB 1711, HB 1715, CCS SS HB 1748, HS HCS HB 1756, HB 1768, SCS HB 1773, SCS HB 1776, HB 1781, SCS HB 1783, SCS HB 1789, SCS HB 1811, HB 1812, HB 1814, HB 1822, HB 1838, HB 1839, HB 1840, SCS HB 1846, SCS HB 1849, HB 1861, SS SCS HCS HB 1888, SCS HB 1890, HB 1895, SCS HB 1921, HB 1926, HB 1937, CCS SCS HB 1953, SCS HB 1964, HB 1973, HB 1982, HB 1988, HB 2001, HB 2002, SS SCS HB 2008, SCS HB 2009, HB 2018, SCS HB 2022, HB 2039, SCS HB 2047, HB 2062, HB 2064, HB 2078, SCS HB 2080, HB 2117, CCS SCS HB 2120, HB 2130 and SCS HB 2137 were delivered to the Governor by the Chief Clerk of the House.

### **SIGNING OF SENATE BILLS**

All other business of the House was suspended while SCS SCR 47, SCR 58, SCR 74, HCS SJR 24, CCS HS SCS SBs 915, 710 & 907, SB 639, SB 644, SCS SB 656, HS HCS SS SCS SB 675, HCS SB 695, SB 701, SB 708, CCS HS HCS SCS SB 712, HCS SB 714, HCS SB 718, SB 720, HS HCS SCS SB 722, SB 726, SCS SB 729, HCS SCS SB 737, SB 742, SCS SB 745, HCS SB 749, CCS HCS SB 758, HCS SCS SB 776, HCS SB 786, CCS#2 HCS SB 795, SB 798, SCS SB 804, HS HCS SCS SB 810, SB 812, SB 831, HS HCS SCS SB 834, HCS SS SCS SB 840, SB 856, SB 859, SB 865, SCS SB 874, SS SCS SB 884, SB 891, HCS SCS SB 892, CCS HS HCS SB 895, SCS SB 918, CCS HS SCS SS SCS SBs 923, 828, 876, 694 & 736, HCS SB 932, SB 941, HCS SCS SB 947, HCS SB 950, HCS SCS SB 957, SS SCS SB 959, HCS SCS SB 960, HCS SB 961, HCS SB 962, SCS SB 966, SCS SB 967, CCS HS#2 HCS SS SCS SBs 969, 673 & 855, SB 974, SB 976, HCS SCS SB 980, CCS HS SS#2 SCS SBs 984 & 985, HCS SB 992, SCS SB 997, SB 1001, HCS SS SCS SB 1009, SB 1011, HCS SB 1012, SCS SB 1015, SCS SB 1024, CCS HS SCS SB 1026, SB 1028, HS HCS SB 1039, SB 1041, SB 1048, HCS SCS SB 1070, SCS SB 1071, HCS SB 1078, CCS HCS SCS SBs 1086 & 1126, HCS SCS SB 1093, HCS SB 1094, HCS SB 1102, CCS HS HCS SS SCS SB 1107, SB 1109, HCS SCS SB 1113, HCS SB 1119, SB 1124, SCS SB 1132, SB 1143, SCS SB 1151, SCS SB 1163, SB 1168, SCS SB 1182, HS HCS SS#2 SB 1191, SB 1199, CCS HCS SCS SB 1202, SCS SB 1207, HCS SCS SB 1210, HCS SB 1213, SB 1217, SCS SBs 1241, 1253 & 1189, SB 1243, HCS SB 1244, SB 1247, CCS HS HCS SS SB 1248 and SCS SB 1266 were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

### **MESSAGE FROM THE GOVERNOR**

July 11, 2002

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 1196** entitled:

"AN ACT"

To repeal sections 136.055, 142.803, 144.805, 155.080, 226.200, 226.540, 226.550, 226.573, 226.580, 226.585, 227.100 and 305.230, RSMo, relating to funding for transportation, and to enact in lieu thereof thirteen new sections relating to the same subject.

On May 28, 2002, I approved said **Senate Substitute for Senate Committee Substitute for House Bill No. 1196**.

Respectfully submitted,

/s/ Bob Holden  
Governor

The following member's presence was noted: Davis.

**ADJOURNMENT**

The Speaker declared the House of Representatives of the Ninety-first General Assembly, convened in Second Regular Session on January 9, 2002, adjourned sine die, pursuant to the Constitution.

JIM KREIDER  
Speaker of the House

TED WEDEL  
Chief Clerk of the House

# JOURNAL OF THE HOUSE

## VETO SESSION

Second Regular Session, 91st GENERAL ASSEMBLY

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FIRST DAY, WEDNESDAY, SEPTEMBER 11, 2002

Speaker Kreider in the Chair.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 151

Abel	Baker	Ballard	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Brooks	Burton
Byrd	Campbell	Carnahan	Champion	Cierpiot
Clayton	Cooper	Copenhaver	Crawford	Crowell
Crump	Cunningham	Curls	Daus	Davis
Dempsey	Dolan	Enz	Fares	Farnen
Franklin	Fraser	Froelker	Gambara	Gaskill
George	Graham	Gratz	Green 15	Green 73
Griesheimer	Hagan-Harrell	Hampton	Hanaway	Harding
Harlan	Hartzler	Haywood	Hegeman	Henderson
Hendrickson	Hilgemann	Hohulin	Holand	Hollingsworth
Holt	Hoppe	Hosmer	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Jones	Kelley 47
Kelly 144	Kelly 27	Kelly 36	King	Koller
Lawson	Legan	Liese	Linton	Long
Lowe	Luetkemeyer	Luetkenhaus	Marble	Marsh
May 149	Mayer	Mays 50	McKenna	Merideth
Miller	Monaco	Moore	Murphy	Myers
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Paone	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Ridgeway	Rizzo	Roark	Robirds
Ross	Scheve	Schwab	Scott	Secrest
Seigfreid	Selby	Shelton	Shields	Shoemaker
Shoemyer	Skaggs	St. Onge	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Villa
Vogel	Wagner	Walker	Walton	Ward
Whorton	Williams	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 000



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PRESENT: 003

Lograsso Reynolds Wright

ABSENT WITH LEAVE: 005

Barnett Boykins Burcham Naeger Smith

VACANCIES: 004

On motion of Representative Crump, the House recessed until 1:15 p.m. to allow the House Members to attend the September 11<sup>th</sup> Remembrance Ceremony.

The hour of recess having expired, the House was called to order by Speaker Kreider.

Prayer by Reverend Rudy Beard.

God of our Parents, we come before You with the memories that are ours, the troubling theme of terror in our land and in Your world. Yet gloom is not our mood. Defeat and despair are not the words for this hour.

Rather, in this hour of remembrance we are thankful, thankful for a strong nation. We are thankful for those who labor for our safety; all who wear the uniform of our nation, our state and our communities. We commend to Your Eternal care all those whose life was taken by terror and violence one year ago.

This day we ask Your blessings upon the Speaker and the men and women of this House. As these men and women fulfill their office, give them the grace of character; character that will lead them to speak and act in ways which honor our principles of Godliness, truth, justice and mercy.

And to You be glory and honor now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

### **SPEAKER ADDRESSES THE HOUSE**

One year ago today, events a thousand miles away, would forever change the way we look at ourselves, the world we live in and everything we hold dear--our freedoms, our democracy, and our way of life.

A cowardly enemy, filled with evil, carried out the vilest act of terrorism ever committed on American soil--taking wives, husbands, parents, sons, daughters and even entire families from us.

I remember standing here last year wondering what it all meant, trying to understand how anyone could harbor so much hatred, but even more so wondering what the impact would be to the people of our great nation.

I'm sure all of you remember where you were on that fateful day. We were all here in a Special Session working to address issues important to our senior citizens, farmers and working families of this great state.

On that day the importance of those issues were dwarfed by the magnitude of those two jets crashing into the twin towers in New York and into the Pentagon and in Pennsylvania.

While we watched tragedy unfold before our very eyes, and felt the need to be at home with our loved ones, this body did something no other legislature in the country did.

It stood firm--our democracy would not waiver.

Even in the face of an unknown enemy, even in the shadow of an uncertain future, we carried out our duty as representatives of the people of the great state of Missouri, we put the people's interests first.

The Missouri House of Representatives decided to send a message--terrorism will never be rewarded in our democracy.

You rose to the challenge and passed a comprehensive prescription drug package keeping a commitment to our seniors, modifying the state's livestock price discrimination law and approving **another** tax cut for working families.

At the time it was impossible to know if our choice to stay was the correct one, but today it is obvious it was the right thing to do. And I can truly say I have never been more proud to be a member of the Missouri House of Representatives.

Some think that we, as Americans, should spend this September 11th--a day of remembrance--in the company of family and friends. But here we are again, in this chamber going about the people's business.

I consider myself among family and friends this afternoon. We have faced many trials and challenges together, including the uncertainty we all shared one year ago today.

I am proud of this nation, I am proud of our great state and I am proud of this institution. We have a lot to be proud of, a nation that has become even more united in the face of adversity.

The strength and resolve of the American spirit has shined through every moment of every day brighter than ever.

Now, ethnic, cultural and political differences no longer matter--all that matters is that we are all Americans united.

And, as Americans we will ensure that those 3,241 Patriots did not die in vain.

May God bless all of you, and may God bless America.

## **RESOLUTION**

Representative Crump offered **House Resolution No. 1**.

### **HOUSE RESOLUTION NO. 1**

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2002 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 1** was adopted by the following vote:

AYES: 132

Abel	Ballard	Barnitz	Barry 100	Bartelsmeyer
Bartle	Bearden	Behnen	Berkowitz	Berkstresser
Black	Bland	Boatright	Bonner	Bowman
Bray 84	Brooks	Burton	Byrd	Carnahan
Champion	Clayton	Cooper	Copenhaver	Crawford
Crowell	Crump	Cunningham	Curls	Daus
Davis	Dempsey	Enz	Fares	Farnen

Fraser	Froelker	Gambaro	George	Graham
Gratz	Green 15	Green 73	Griesheimer	Hagan-Harrell
Hampton	Hanaway	Harding	Harlan	Hartzler
Haywood	Hegeman	Hendrickson	Hilgemann	Holand
Hollingsworth	Holt	Hoppe	Hunter	Jetton
Johnson 61	Johnson 90	Jolly	Kelley 47	Kelly 144
Kelly 27	Kelly 36	King	Koller	Lawson
Legan	Liese	Linton	Lowe	Luetkemeyer
Luetkenhaus	Marble	Marsh	May 149	Mayer
Mays 50	Merideth	Miller	Monaco	Moore
Murphy	Myers	Naeger	O'Connor	O'Toole
Overschmidt	Phillips	Portwood	Purgason	Quinn
Ransdall	Rector	Reid	Reinhart	Relford
Richardson	Rizzo	Roark	Robirds	Ross
Scheve	Schwab	Scott	Secrest	Seigfreid
Selby	Shelton	Shields	Shoemaker	Shoemyer
Skaggs	St. Onge	Surface	Thompson	Townley
Treadway	Troupe	Villa	Wagner	Walker
Ward	Williams	Willoughby	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 005

Cierpiot	Henderson	Hohulin	Lograsso	Ridgeway
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PRESENT: 000

ABSENT WITH LEAVE: 022

Baker	Barnett	Boucher	Boykins	Burcham
Campbell	Dolan	Franklin	Gaskill	Hosmer
Jones	Long	McKenna	Nordwald	Ostmann
Paone	Reynolds	Smith	Van Zandt	Vogel
Walton	Whorton			

VACANCIES: 004

## MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE

State of Missouri  
Jefferson City, MO 65101

June 26, 2002

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TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1108** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2002 and ending June 30, 2003.

Section 8.170

I hereby veto \$84,550 federal funds for the Missouri State Water Patrol for a new lieutenant colonel position. Adding a position from federal funds would result in fewer federal funds being available for ongoing, operating expenses. Given the scarcity of general revenue funds statewide—and the critical importance of maintaining Water Patrol operations—such a redirection of federal funds would be unwise at this time.

Personal Service by \$84,550 from \$281,949 to \$197,399  
From \$1,718,677 to \$1,634,127 in total from Federal Funds  
From \$6,421,940 to \$6,337,390 in total for the section.

On June 26, 2002, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1108**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden  
Governor

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June 26, 2002

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1111** entitled.

"AN ACT"

To appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

Section 11.085

I hereby veto \$62,353 general revenue and \$28,673 federal funds for two supervisors and associated expense and equipment related to presumptive eligibility. These positions are not necessary to the program and were not recommended in the Executive Budget.

Personal Service by \$47,462 from \$11,043,984 to \$10,996,522 from General Revenue Fund.  
Expense and Equipment by \$14,891 from \$4,580,152 to \$4,565,261 from General Revenue Fund.  
From \$15,624,136 to \$15,561,783 in total from General Revenue.  
Personal Service by \$21,826 from \$28,645,833 to \$28,624,007 from Federal Funds.

Expense and Equipment by \$6,847 from \$9,230,888 to \$9,224,041 from Federal Funds.  
From \$37,876,721 to \$37,848,048 in total from Federal Funds.  
From \$164,342,136 to \$164,251,110 in total for the section.

On June 26, 2002, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1111**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden  
Governor

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June 26, 2002

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1112** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2002 and ending June 30, 2003.

Section 12.005

I hereby veto \$181,815 for the Governor's Office. This veto is necessary to correct a bill drafting error.

Personal Service and/or Expense and Equipment by \$181,815 from \$2,185,981 to \$2,004,166.

On June 26, 2002, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1112**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Bob Holden  
Governor

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July 12, 2002

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 1495**, entitled:

"AN ACT"

To repeal section 130.016, RSMo, relating to elections, and to enact in lieu thereof one new section relating to the same subject.

I disapprove of **Senate Committee Substitute for House Bill No. 1495**. My reasons for disapproval are as follows:

This bill attempts to raise the single contributor limit within section 130.016, RSMo, to reflect the current contribution limits allowed under section 130.032, RSMo. The bill does not, however, consistently raise the limits. Rather, they are raised from \$250.00 to \$300.00 in some sentences and not raised at all in others. In addition, the bill does not amend other current sections of law that suggest that the single contributor limit is still \$250.00. I have been advised by the Missouri Ethics Commission that these technical inconsistencies will make it impossible to effectuate the General Assembly's intent in passing the bill. I am compelled, therefore, to veto this bill on technical grounds.

For all of the above-stated reasons for disapproval, I am returning **Senate Committee Substitute for House Bill No. 1495** without my approval.

Respectfully submitted,

/s/ Bob Holden  
Governor

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July 12, 2002

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for House Bill No. 1748**, entitled:

"AN ACT"

To repeal sections 247.030, 247.031, 247.040, 247.217, 247.220, 393.705, 393.847, 640.100, 640.620, 644.016, 644.036, 644.051 and 644.052, RSMo, and to enact in lieu thereof twenty-one new sections relating to water resources.

I disapprove of **Conference Committee Substitute for Senate Substitute for House Bill No. 1748**. My reasons for disapproval are as follows:

This bill is similar but not identical to Conference Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills 984 and 985 (hereinafter SB 984), which was also approved by the General Assembly during the 2002 session and signed into law on July 11, 2002.

One provision in both bills is section 640.825, which addresses the burden of proof in appeals from decisions of the Department of Natural Resources (hereinafter DNR) and the various commissions housed in that department. This section in both bills places the burden of proof in appeals from certain decisions made by DNR and its commissions on DNR or the commission. This section also places the burden of proof on an applicant who appeals a denial of a permit, license, or registration. The bills differ, however, in that this bill contains a clause within section 640.825 that SB 984 does not contain, which clause mandates that when a third party appeals the issuance of a permit, license, or registration, or any term or condition thereof, the burden of proof is on that third party.

This clause places an undue burden on the participating public when it appeals the terms and conditions of a permit because it treats the third party appellant differently than the applicant appellant. An applicant who appeals DNR's decision or a term or condition thereof does not carry the burden of proof, whereas a third party appealing such a decision does bear the burden. This change in policy may have the effect of discouraging the public participation that benefits our environment by ensuring that the decisions of DNR are submitted to public scrutiny. In sum, I disagree that the third party participants should be placed at such a disadvantage relative to other appellants.

For all of the above-stated reasons for disapproval, I am returning **Conference Committee Substitute for Senate Substitute for House Bill No. 1748** without my approval.

Respectfully submitted,

/s/ Bob Holden  
Governor

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July 12, 2002

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 1789**, entitled:

"AN ACT"

To repeal sections 301.129, 301.131 and 301.453, RSMo, relating to special license plates, and to enact in lieu thereof four new sections relating to the same subject, with penalty provisions.

I disapprove of **Senate Committee Substitute for House Bill No. 1789**. My reasons for disapproval are as follows:

This bill amends section 301.129, RSMo, in an effort to reestablish an advisory committee for the Department of Revenue to develop designs for a future re-issuance of Missouri's license plates. Considering the current difficult fiscal environment, I do not believe it is appropriate to anticipate a re-issuance of license plates. The last re-issuance of license plates was done recently, in 1997. Cost estimates of a future re-issuance, furthermore, suggest that it would cost in excess of \$15 million to replace Missouri license plates. Missouri citizens must be assured that state resources are being expended on our state's top priorities such as education, health care, safe roads and bridges, and essential services. By vetoing

this bill, almost every other provision of which is contained in either Senate Bill No. 798 or House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1093, both of which were passed by the General Assembly during the 2002 legislative session and signed into law on July 3, 2002, we give the citizens of this state that assurance.

For all of the above-stated reasons for disapproval, I am returning **Senate Committee Substitute for House Bill No. 1789** without my approval.

Respectfully submitted,

/s/ Bob Holden  
Governor

### **HOUSE BILLS VETOED FROM THE SECOND REGULAR SESSION**

Speaker Kreider read the following House Bills vetoed from the Second Regular Session: **CCS SCS HCS HB 1108, CCS SCS HCS HB 1111, CCS SCS HCS HB 1112, SCS HB 1495, CCS SS HB 1748 and SCS HB 1789.**

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SR 1**.

#### **SENATE RESOLUTION NO. 1**

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Section 32, Article III of the Constitution and is ready for the consideration of its business.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SR 3**.

#### **SENATE RESOLUTION NO. 3**

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Section 32, Article III of the Constitution, made no motion to override the Governor's vetoes of House Committee Substitute for Senate Bill No. 961; House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1070; House Committee Substitute for Senate Bill No. 749 and House Committee Substitute for Senate Committee Substitute for Senate Bill No. 980 when the bills were so called by the President.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, September 12, 2002.



# JOURNAL OF THE HOUSE

## VETO SESSION

Second Regular Session, 91st GENERAL ASSEMBLY

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SECOND DAY, THURSDAY, SEPTEMBER 12, 2002

Speaker Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Give us open eyes, O Lord, to see the beauty that is all around us. It is the wonder of Your creation. Let this day in Missouri speak to us of Your grace and power. Bless with Your peace and joy, this company of legislators, this House, their families and all who work with them.

Protect them, those who will return to this place and these who take their leave with the gift of generous spirits, forgiving hearts, and hands committed to serving the people of Missouri.

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the first day was approved as corrected.

## RESOLUTION

Representative Crump offered **House Resolution No. 2.**

### HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS SCS HCS HB 1108, CCS SCS HCS HB 1111, CCS SCS HCS HB 1112, SCS HB 1495, CCS SS HB 1748** and **SCS HB 1789** when the bills were called by the Speaker.

On motion of Representative Crump, Rule 63 was suspended and **House Resolution No. 2** was adopted by the following vote:

AYES: 136

Abel	Ballard	Barnett	Barnitz	Barry 100
Bartelsmeyer	Bartle	Bearden	Behnen	Berkowitz
Berkstresser	Black	Bland	Boatright	Bonner
Boucher	Bowman	Bray 84	Burton	Byrd
Campbell	Carnahan	Champion	Cooper	Copenhaver
Crawford	Crowell	Crump	Daus	Curls

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Cunningham	Davis	Dempsey	Dolan	Enz
Fares	Farnen	Franklin	Fraser	Froelker
Gaskill	George	Graham	Gratz	Green 15
Green 73	Griesheimer	Hagan-Harrell	Hampton	Hanaway
Harding	Harlan	Haywood	Hegeman	Hendrickson
Hilgemann	Holand	Holt	Hosmer	Hunter
Jetton	Johnson 61	Johnson 90	Jolly	Jones
Kelly 144	Kelly 27	Kelly 36	King	Koller
Legan	Liese	Linton	Long	Lowe
Luetkemeyer	Luetkenhaus	Marble	Marsh	May 149
Mayer	Mays 50	McKenna	Merideth	Miller
Monaco	Murphy	Myers	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Paone	Phillips
Portwood	Quinn	Ransdall	Rector	Reid
Reinhart	Relford	Reynolds	Richardson	Rizzo
Roark	Robirds	Ross	Scheve	Schwab
Scott	Secrest	Seigfreid	Selby	Shelton
Shields	Shoemaker	Shoemyer	Skaggs	St. Onge
Surface	Thompson	Townley	Troupe	Van Zandt
Villa	Vogel	Wagner	Walker	Walton
Ward	Whorton	Willoughby	Wilson 25	Wilson 42
Mr. Speaker				

NOES: 005

Cierpiot	Henderson	Hohulin	Lograsso	Ridgeway
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PRESENT: 001

Wright

ABSENT WITH LEAVE: 017

Baker	Boykins	Brooks	Burcham	Clayton
Gambaro	Hartzler	Hollingsworth	Hoppe	Kelley 47
Lawson	Moore	Nordwald	Purgason	Smith
Treadway	Williams			

VACANCIES: 004

The following members' presence was noted: Purgason and Hollingsworth.

### **ADJOURNMENT**

On motion of Representative Crump, the Veto Session of the Ninety-first General Assembly, Second Regular Session, was adjourned sine die pursuant to Article III, Section 32 of the Constitution.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, First Day, Wednesday, September 11, 2002, page 9, line 34, by inserting after said line the following: The following member's presence was noted: Boykins.

Pages 1 and 2, roll call, by showing Representative Naeger voting "present" rather than "absent with leave".

Pages 3 and 4, roll call, by showing Representatives Boucher, Hosmer, Jones, Paone, Walton and Whorton voting "aye" rather than "absent with leave".